

THE CONNECTICUT CAMPAIGN FINANCE LAW

A GUIDE TO FINANCING A REFERENDUM QUESTION

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INTRODUCTION

This publication is designed to serve as a guide for groups or entities desiring to raise or expend private funds, or use tangible resources, to advocate passage or defeat of any referendum or ballot question in Connecticut. Generally, when funds or other resources are solicited, received or expended in connection with a referendum, a group or entity must organize a political committee and register it within ten days of the date of organization with the town clerk with respect to a local ballot question or the Secretary of the State with respect to any statewide question. This requirement applies to persons irrespective of residence within or outside of Connecticut.

(Sections, 9-333e(a)-(b), 9-333g(b) and 9-333v(d) General Statutes)

Connecticut's campaign finance laws are set forth in Chapter 150 of the Connecticut General Statutes, §9-333 *et seq.* Referendum questions are generally conducted in a municipality and concern a local matter such as the budget or a bond authorization. The only statewide referendum questions permitted are those which propose to amend the state constitution or call for a constitutional convention. However, there are many state and local laws that permit referenda to be held within a political subdivision of the state such as a regional school district composed of two or more municipalities.

Connecticut's election laws generally prohibit the use of use of public funds or resources to influence the outcome of a referendum. When public funds are spent in connection with a referendum question there must be strict adherence to the authorizing statutes set forth in Chapter 152 of the Connecticut General Statutes for the expenditure of these monies. This Guide will discuss these requirements.

There are periodic public disclosure requirements relating to any entity that receives or expends funds, or uses other resources, to advocate passage or defeat of a referendum question. It is the personal responsibility of the designated treasurer to ensure that all other statutory requirements are complied with.

This Guide focuses exclusively on the laws and requirements affecting individuals and entities organized to influence the outcome of a single ballot question or referendum. **Political committees organized on an ongoing basis, which spend funds to affect the outcome of a referendum, fall outside the scope of this Guide.** See *"A Guide for Political Committees Established by a Business Entity, Organization, or Two or More Individuals for Political Activities."*

Anyone using this Guide is advised to refer to the specific statutory provisions, regulations and declaratory rulings of the Commission referenced throughout. This Guide incorporates all of the changes made by the General Assembly through to Chapter 150 of the Connecticut General Statutes as of March, 2006.

Copies of the campaign finance laws are available at the State Elections Enforcement Commission and at its website (www.ct.gov/seec).

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I. DEFINITIONS OF PRINCIPAL TERMS

What is a Referendum Question?

A referendum question is a ballot question or a proposal, including a proposal to amend the Connecticut Constitution, which is printed on the ballot label and submitted to Connecticut electors or other qualified voters of a Connecticut municipality for their approval or disapproval. This includes instances in which each of the member towns in a regional school district simultaneously conducts a vote of the eligible voters on a proposed school budget.

(Section 9-333a(14), General Statutes)

When is a Referendum Pending?

A referendum is pending when the necessary legal conditions have been satisfied to require the publication of a warning (notice) that a referendum question will be submitted to the vote of the eligible voters of a municipality on a certain date. For example, a referendum is pending when a sufficient number of signatures have been certified by the Town Clerk under Section 7-7, General Statutes, or when the selectmen (or other authorized government official) have determined that a referendum will be conducted.

What is a Referendum Committee?

A referendum committee is a specific type of a political committee (see below) that is organized to influence the outcome of a referendum, which will terminate after the referendum has been held. A political committee established on an ongoing basis to influence referenda is not a referendum committee.

What is a Political Committee?

A political committee includes committees established in this state by the following: business entities, labor unions and other organizations, trade or professional associations, other entities, and groups of at least two or more individuals. A political committee may expend funds, depending upon its statement of purpose, on referenda questions, candidates for elective office, or both. Political committees formed for ballot questions may have an ongoing existence or may be formed only for a single ballot question.

(Section 9-333a(3), General Statutes)

What is a “Group of Two or More Individuals” Organized for a Referendum?

This form of organization operates when a group of individuals associate for the sole purpose of supporting passage or defeat of a referendum question and do not intend to receive or expend more than \$1,000 for such purpose. If more than \$1,000 is received or spent they lose this status and must register as a referendum committee.

What is a Business Entity?

A business entity includes a stock corporation, bank, insurance company, limited liability company, business association, bankers association, insurance association, trade or professional association receiving funds from membership dues and other sources, partnership, joint venture, private foundation, trust or estate, cooperative or other association, and any similar organization or entity which is engaged in the operation of a business or profit-making activity.

Note: a solely owned professional service corporation or a sole proprietorship is considered an individual and not a business entity.

(Section 9-333a(7), (8), General Statutes)

What is an Organization?

An organization includes any labor organization, employee organization, bargaining representative organization for teachers, local, state or national organization to which any labor organization pays fees or membership dues, as well as any trade or professional association receiving its funds exclusively from membership dues. However, if the membership in such trade or professional association includes business entity members, such as a professional service corporation not owned by a single individual, then such a trade or professional organization is deemed to be a business entity and not an organization for purposes of the campaign financing laws.

(Section 9-333a(6), General Statutes)

Who is an Individual?

An individual is a human being, a sole proprietorship, or a professional service corporation organized under Chapter 594a of the Connecticut General Statutes and owned by one individual.

(Section 9-333a(8), General Statutes)

What is a Candidate Committee?

A candidate committee is a committee designated by a candidate to promote his or her nomination or election to a specific office. A candidate committee may only be utilized to support one candidate.

(Section 9-333a(4), General Statutes)

What is an Exploratory Committee?

An exploratory committee is a committee formed by a candidate who has not yet determined what office to seek. The sole purpose of such a committee is to decide which office to seek in a particular election.

(Sections 9-333f(c), 9-333j(f), General Statutes)

What is a “Slate” Committee?

A slate committee is a political committee formed by two or more individuals, within the same municipality, who are candidates in the same election or primary, for the sole purpose of funding their campaigns.

What is a Party Committee?

A party committee may be the local town committee of a political party or a state central committee, but does not include party-affiliated district, ward or borough committees.

(Section 9-333a(2), General Statutes)

Who is a Committee Chairperson?

A committee chairperson may be any individual who has signed the committee's registration statement as the designated chairperson. The chairperson is responsible to appoint and designate the treasurer and deputy treasurer of the committee on the committee's registration statement, along with other required information.

(Section 9-333g, General Statutes)

Who is a Committee Treasurer?

A committee treasurer may be any Connecticut elector who is appointed to serve as treasurer by the political committee's chairperson. The committee treasurer is the only individual who has authority to deposit funds into, or expend funds from, the committee's depository account. Only one individual may serve as treasurer at any one time.

(Sections 9-333a(11), 9-333g(a), 9-333x(11), General Statutes)

Who is a Deputy Treasurer?

A deputy treasurer must have the same qualifications and be appointed in the same manner as the committee treasurer. The purpose of appointing a deputy treasurer is to have an individual on hand who may function as the treasurer in the event that the treasurer is unable to perform the required duties of the treasurer. Only one individual may be appointed as deputy treasurer at any one time. The appointment of a deputy treasurer is optional for all committees.

(Sections 9-333a(12), 9-333g(a), General Statutes)

Who is a Solicitor?

A solicitor is any individual who is appointed by the treasurer to receive funds or resources on behalf of the political committee. There are no limitations on the number of solicitors that the treasurer may appoint on behalf of the committee. Receiving funds and resources (a solicitor) is different than merely asking that donations be given to a committee. However, certain individuals are restricted from requesting donations and accepting donations on behalf of a committee, see section entitled "GENERAL PROHIBITIONS AND PENALTIES," "Prohibited Solicitations," on Page 39.

(Sections 9-333a(13), 9-333h(c), General Statutes)

What is a Depository Institution?

A depository institution is any financial institution situated in or having an office in Connecticut, including but not limited to a bank, savings and loan association, or credit union. It is the treasurer's obligation to establish a single checking account for the deposit of all funds received by the committee. Further, all committee expenditures must be made from this account.

(Sections 9-333d(a), 9-333i, General Statutes; State Elections Enforcement Commission Advisory Opinion No. 75-6)

What is a Lobbyist?

A lobbyist is any individual, or any organization or entity which receives compensation or makes or agrees to make expenditures in excess of \$2,000 per calendar year to communicate with, or solicit others to communicate with any official, or member of such official's staff, within the legislative or executive branch of state government, for the purpose of influencing any state legislative or executive administrative action. Lobbyists are required to register with the Office of State Ethics.

(Section 1-91(l), General Statutes, as amended by P.A. 05-183)

What is a Contribution?

A contribution includes any gift, loan, payment or expenditure of money, goods or anything of value made for the purpose of promoting the success or defeat of a ballot question.

A contribution may be monetary or non-monetary (In-Kind Contribution). All contributions are counted towards the aggregate contribution limits that apply to the particular donor.

It is important for the treasurer to determine whether or not a receipt or expenditure constitutes a contribution that counts against the aggregate contribution limits allowed from the particular donor. These limits are discussed later in the section entitled "RESPONSIBILITIES OF THE TREASURER OR AGENT OF A GROUP OF TWO OR MORE INDIVIDUALS," on Page 13.

The following are examples of transactions that generally constitute contributions:

- A gift of money by an individual, which may be by cash, personal check, other bank instrument or credit card. An individual may not make a cash contribution in excess of \$100 to a referendum committee during the calendar year. Any contribution in excess of \$100 must be made by personal check of the individual or credit card.
- The transfer of monetary or non-monetary assets by a committee to another committee. Any monetary contribution by another committee to a referendum committee must be made by check drawn on the donor committee's designated depository account. Political committee checks must have the political committee's name and address typed, stamped, or printed, other than by hand, on the face of the check.
- The receipt or gift of goods, services or anything of value given free of charge or at less than the usual charge (discount) to the recipient committee. Non-monetary receipts or expenditures which are contributions are referred to as "In-Kind Contributions." An In-Kind Contribution must be valued at the usual and normal charge less any amount paid by the recipient committee. An In-Kind Contribution includes such things as the use of real property for a committee headquarters, the use of personal property such as a computer, facilities, supplies, equipment and mailing lists.
- A loan of money made by any individual or entity other than a national or state bank in the ordinary course of business. Repayments made on the loan reduce the amount of the contribution. A guarantee of payment on a loan by a third party is not a contribution unless the committee defaults on the loan and the guarantor makes

payment in satisfaction of the obligation. For further discussion on loans see section entitled "SPECIAL TOPICS," "A Loan is Contribution," on Page 27.

- An extension of credit for a length of time beyond normal business or trade practice is a contribution unless the creditor makes a commercially reasonable attempt to collect the debt.
- A written contract, promise or agreement to make a contribution.

(Section 9-333b(a), General Statutes)

What is an Anonymous Contribution?

An anonymous contribution is given without the contributor present and with no information about the contributor known or provided. The treasurer must be incapable of discerning the identity of the contributor.

Are Certain Monetary and Non-Monetary Receipts or Expenditures Not Considered Contributions?

Yes. There are various types of monetary and non-monetary receipts or expenditures which, depending upon the source, the amount or value of the receipt or expenditure and whether or not the receipt or expenditure is provided or made for a fund-raising affair, are not considered contributions.

The following are examples of receipts or expenditures which, although they may have to be otherwise reported, are not considered contributions, and are therefore not counted against the aggregate contribution limits:

- A loan of money made to a committee in the ordinary course of business by a bank or other financial institution.

(Section 9-333b(b)(1), General Statutes)

- Interest paid to the committee by the committee's bank.
- Communications advocating passage or defeat or a referendum question made by a business entity, limited to its owners, stockholders, executive or administrative personnel or their family members, and similar communications made by an organization or association, limited to its members or their family members, are not contributions and this is true whether or not such communication is coordinated with the campaign of a referendum committee. A business entity, organization or association, in expressing its own views to its restricted class, may use brief quotations from speeches and other material prepared by a referendum committee, but may not otherwise republish, in whole or part, such material. If a communication that advocates is made to persons outside of this restricted class, such communication is a contribution.

(Section 9-333b(b)(2), General Statutes)

- Uncompensated services, such as legal or accounting services, provided by individuals volunteering their time to the committee.

(Section 9-333b(b)(4), General Statutes)

- Various types of receipts or expenditures occurring at a bona-fide fund-raising affair. See section entitled “FUND-RAISING AFFAIRS,” on Page 20, which explains these transactions.
- The advance of a security deposit by an individual to a telephone company for telecommunications service for the committee, provided the security deposit is refunded to the individual. If the individual is not entitled to or loses entitlement to the refund, the deposit is a non-monetary receipt to the committee the value of which must be reported by the committee as an In-Kind Contribution.

(Sections 9-333b(b)(13), General Statutes)

What is an Expenditure?

An expenditure includes the following:

- A purchase or payment made, or the consumption of anything of value, for the purpose of promoting the success or defeat of a ballot question.
- The transfer of funds or resources by the committee to another committee. However, as explained throughout this Guide, there are restrictions which apply to these transfers.
- An expense which has been incurred by the committee but not yet paid.

II. WHEN IS REGISTRATION REQUIRED IN ORDER TO INFLUENCE A REFERENDUM QUESTION?

Registration Is Required When:

- A Group of Two or More Individuals wish to raise or expend funds or other resources in connection with the referendum.

(Section 9-333d(a), General Statutes)

- Any corporation or other business entity, labor union or other organization, or any other association, which has a prior independent existence apart from the referendum question and expends more than \$1,000 from its existing treasury funds to promote the success or defeat of the referendum. There are no limits on the aggregate amount of direct expenditures that may be made by these entities to promote the success or defeat of a referendum question.

(Section 9-333d(a), 9-333v(d) General Statutes)

- Any corporation or other business entity, labor union or other organization, or any other association that plans on soliciting funds for the referendum must first register a referendum committee.
- By a group of two or more business entities or other existing organizations or associations acting together are required to register prior to any solicitation, receipt or expenditure of funds or other resources.

Registration Is Not Required When:

- An individual expends funds or resources in support or opposition to the referendum question independently of any other person. However, financial disclosure statements concerning such expenditures are required when the individual expends in excess of \$1,000 to promote the success or defeat of a referendum question. This financial disclosure statement is Form ED-55 entitled “Statement of Independent Expenditures Made By an Individual.” The individual must file these statements on the same filing dates applicable to financial disclosure statements filed by referenda committees.

(Section 9-333d(a), 9-333n(d), General Statutes)

- A corporation or other business entity, labor union or other organization, or any other association which has a prior independent existence apart from the referendum question, expends \$1,000 or less from its existing treasury funds to promote the success or defeat of the referendum, and does not solicit new funds in connection with the referendum.

(Section 9-333d(a), 9-333v(d), General Statutes)

- Any ongoing political committee or party committee receives or expends funds or other resources in connection with the referendum. However, additional financial disclosure statements are required to be filed by such committees seven days before the referendum.

(Section 9-333j(a)(1)(C), General Statutes)

What and When to File?

- A group of individuals who associate for the sole purpose of supporting passage or defeat of a referendum question and *who do not* intend to receive or expend more than \$1,000 need to file a Form B-5, entitled “Certification of Exemption from Forming a Political Committee for a Referendum Question,” before any contribution is received or expenditure is made. If this group later receives or expends in excess of \$1,000 a Form ED-47, entitled “Political Committee Statement of Organization,” needs to be filed within three business days thereafter.

(Section 9-333d(a) and 9-333g(d), General Statutes)

- A group of individuals who associate for the sole purpose of supporting passage or defeat of a referendum question and *who do* intend to receive or expend more than \$1,000 need to file a Form ED-47, entitled “Political Committee Statement of Organization,” before any contribution received or expenditure is made and no later than ten days after its organization, except that if the referendum is to occur within 10 days of its organization, such filing must be made immediately.

(Section 9-333d(a) and 9-333g(d), General Statutes)

- A corporation or other business entity, labor union or other organization, or any other association, which has a prior independent existence apart from the referendum question and which expends \$1,000 or more from its existing treasury funds to promote the success or defeat of the referendum, must file, through its chief executive officer, a Form ED-47, entitled “Political Committee Statement of Organization,” within ten days of such expenditure, except that if the referendum is to occur within that deadline such filing must be made immediately.

(Section 9-333d(a), 9-333g(d), 9-333v(d), General Statutes)

- A corporation or other business entity, labor union or other organization, or any other association, which intends on soliciting new funds to promote the success or defeat of the referendum, must file, through its chief executive officer, a Form ED-47, entitled “Political Committee Statement of Organization,” within ten days of such solicitation or any expenditure, except that if the referendum is to occur within that deadline such filing must be made immediately.

(Section 9-333d(a), 9-333g(d), 9-333v(d), General Statutes)

- A group of two or more business entities or other existing organizations or associations acting together need to register a referendum committee by filing a Form ED-47, entitled “Political Committee Statement of Organization,” before any contribution received or expenditure is made and no later than ten days after its organization, except that if the referendum is to occur within 10 days of its organization, such filing must be made immediately.

(Section 9-333d(a) 9-333v(d), General Statutes)

III. RESPONSIBILITIES OF THE CHAIRPERSON OF THE COMMITTEE, OR THE CHIEF EXECUTIVE OFFICER OF THE ENTITY, OR THE AGENT OF THE GROUP OF INDIVIDUALS

Filing of the Registration Statement

Referendum Committee or Entities

The committee’s chairperson or the chief executive officer of the entity is responsible for filing a Form ED-47, entitled “Political Committee Statement of Organization,” with the appropriate filing repository. This form and all amendments thereto are referred to as the registration statement or amended registration statement, as the case may be. A registration statement must contain the following information:

1. The name and address of the committee or entity.
2. A statement of the purpose of the committee or entity (single referendum).
3. The name and address of the designated treasurer and deputy treasurer, if a deputy treasurer is appointed.
4. The name, address and title of all other principal officers of the committee or entity.
5. Identification of the name and address of a depository institution in Connecticut in which a single checking account is established for the committee’s funds. In the case of an entity that has exceeded the \$1,000 threshold, the depository institution should be the bank or other financial institution in which the entity maintains the account from which the expenditures for the referendum were made. A separate checking account is not required to be established by an existing entity unless it solicits and receives funds specifically for the referendum campaign.
6. The name of each person, other than an individual, who is a member of the committee.

7. A brief statement identifying the substance of each referendum question or constitutional amendment and whether or not the committee or entity supports or opposes the question.
8. The date of the referendum or constitutional amendment.
9. If a committee is established by a business entity or organization, the name of the sponsoring business entity or organization.
10. If the committee is established by an organization, the manner in which it will be funded, namely, 1) whether it is exclusively through the treasury funds of the sponsoring organization or 2) by voluntary contributions from the members of the organization.
11. If the committee files campaign financing reports with the Federal Election Commission or with any other out-of-state agency, a statement to that effect, including the name of the public agency outside of Connecticut where such committee files campaign finance statements.
12. A statement indicating that the committee is established for a single referendum.
13. If the committee is established by or on behalf of a lobbyist, member of the General Assembly, or elected State Officer, a statement to that effect and the name of the lobbyist, member of the General Assembly or State Officer affiliated with the committee.

(Sections 9-333d(a), 9-333g(b), 9-333l(e) and (f), General Statutes)

Group of Two or More Individuals

The agent of the Group of Two or More Individuals is responsible for filing a Form B-5, entitled "Certification of Exemption From Forming A Political Committee For a Referendum Question," with the appropriate filing repository. This form and all amendments thereto are referred to as a limited registration statement. The limited registration statement must contain the following information:

1. The name of the group, or the names of the individuals who comprise the group;
2. The name and address of the agent;
3. A brief statement identifying the substance of each referendum question and whether or not the committee or entity supports or opposes the question: and
4. The date of the referendum or constitutional amendment.
5. A statement that the group does not intend to receive or expend more than one thousand dollars for the entire referendum campaign.

Where to File the Registration Statement?

The Office of the Secretary of the State is the proper filing repository with respect to a statewide ballot question (proposed constitutional amendment(s)).

(Section 9-333e(a), General Statutes)

The Town Clerk is the proper filing repository with respect to a referendum question that is voted on by the eligible voters of a single municipality.

(Section 9-333e(b), General Statutes)

In the case of a referendum question appearing on the ballot of two or municipalities but not the entire state, the proper filing repository is the Town Clerk of each of the several municipalities involved.

(Section 9-333e(b), General Statutes)

When and How to Amend a Registration Statement?

Any additions or revisions to a registration statement (i.e. a change in treasurer) must be made in writing to the same filing repository where the initial registration statement was filed within ten days of any such addition or revision.

(Section 9-333g(c), General Statutes)

Appointment of the Treasurer and Deputy Treasurer

The committee's chairperson or the entity's chief executive officer is required to appoint one individual, who is a Connecticut elector, as treasurer and may similarly appoint another Connecticut elector as deputy treasurer. These appointments must appear on the most current registration statement. The treasurer and deputy treasurer must co-sign the registration statement filed by the chairperson or chief executive officer signifying their acceptance of the appointment. An individual may serve as a treasurer of multiple committees. Once appointed, the treasurer and deputy treasurer serve indefinitely, until such individual resigns, is replaced by the chairperson or chief executive officer, or becomes incapacitated. A written statement of resignation may be filed with the filing repository in order to relieve the treasurer from the statutory obligations under the Campaign Finance Laws.

Upon the treasurer's resignation, replacement or permanent incapacity, the deputy treasurer, if any, automatically succeeds as treasurer. If no deputy treasurer has been appointed, the chairperson or chief executive officer has ten days in which to designate a successor treasurer to fill the vacancy by filing an amended registration statement with the filing repository. The failure to designate a successor treasurer within this 10-day period is a violation of Section 9-333d(c), General Statutes, for which a fine penalty of up to \$2,000 can be imposed against such individuals.

(Sections 9-333d(c), and 9-333g(a), General Statutes)

A committee may not transact business of any kind during the period in which the committee is without a treasurer or deputy treasurer. An entity may not expend funds or other resources in connection with the referendum during the period in which there is no treasurer or deputy treasurer. A committee chairperson or chief executive officer is legally liable for any such violation.

(Sections 9-333d, and 9-333g, General Statutes)

Designation of a Depository for Funds

The name and address of a single depository institution located in Connecticut must be designated on the committee's registration statement. All committee funds must be deposited into a single checking account established within the designated depository institution and all expenditures may be made only by the treasurer from this one account.

(Sections 9-333d(a), 9-333f(b), General Statutes)

A separate checking account is not required to be established by an entity unless it solicits and receives funds for the referendum campaign. The entity should designate the bank

or other financial institution in which the entity will write checks to support or oppose the referendum.

The depository does not have to be designated by a group of two or more individuals organized for a referendum, however, the group is prohibited from raising or expending more than \$1,000.

IV. RESPONSIBILITIES OF THE TREASURER OR AGENT OF A GROUP OF TWO OR MORE INDIVIDUALS

Agent of a Group of Two or More Individuals

The agent of a Group of Two or More Individuals acts as the treasurer of the group and is responsible to assure that all receipts and expenditures are lawful and within permissible limits.

Must Deposit All Acceptable Contributions

The committee's treasurer is responsible for depositing all funds received by the committee within fourteen (14) days of receipt and must do so in the committee's single checking account established with the committee's designated depository institution.

(Section 9-333h(a), General Statutes, as amended by P.A. 04-112)

The treasurer must ensure that any funds or resources received by the committee are lawful and within the aggregate limits permitted under the Campaign Financing laws. Receipts which are either prohibited or otherwise in excess of the permissible limits set forth by law should not be deposited and must be returned to the donor by the treasurer within fourteen days of receipt or by the filing deadline for transactions falling within the reporting period, whichever is earlier.

If a monetary receipt is deposited by the treasurer into the committee's account before it has been determined to be unlawful, the treasurer must report it on the financial disclosure statement and refund the same without delay by returning the amount to the donor on a check drawn on the committee's checking account. Any such refund must be reported as an expenditure using the Expenditure Code for the specific purpose of the expenditure. Please see "EXPENDITURE CODE DEFINITIONS AND USES" section starting at Page 43. The coded purpose for such an expenditure is "M" for "Miscellaneous" with a notation "refund of contribution" on the financial disclosure statement corresponding with the period that the refund is made. Wherever possible, such refunds should be made in the same reporting period as the funds were deposited. The same rules apply to non-monetary receipts that are from an improper source or excessive in amount or value.

A Referendum Committee or Group of Two or More Individuals May Not Accept Certain Monetary Receipts Depending on the Method of Payment

Monetary receipts from individuals may not be accepted unless the following methods of payments are used:

- a) An aggregate amount of \$100 or less may be accepted if made by cash, personal check, bank instrument or credit card; and

- b) An aggregate amount in excess of \$100 may be accepted if made by personal check or credit card.

(Sections 9-333x(9) and 9-333m(e), General Statutes)

Monetary receipts from any other committee, which is the proper source of funds, must be made by check drawn on the committee's designated depository institution.

There is a \$15 dollar limit on acceptance of anonymous cash receipts. Any anonymous cash receipt of \$15 or less may be accepted and deposited by the treasurer in the same manner as any other monetary receipt.

Any anonymous cash receipt that exceeds \$15 must not be accepted but rather must be immediately forwarded by the committee's treasurer in full to the State Treasurer for deposit in the General Fund of the State of Connecticut. The treasurer is advised to check with the State Elections Enforcement Commission before remitting funds to the State Treasurer.

(Section 9-333h(b), General Statutes)

| AMOUNT OF AGGREGATE CONTRIBUTION(\$) | PERMISSIBLE METHOD OF PAYMENT | INFORMATION THAT IS REQUIRED FROM CONTRIBUTOR | FROM AN INDIVIDUAL UNDER 16 |
|---|---------------------------------------|--|------------------------------------|
| \$0 - \$30.00 | Cash, Bank instrument, or Credit Card | Name and Address | Yes |
| \$30.01- \$100.00 | Cash, Bank instrument, or Credit Card | Name, Address and Lobbyist Status (if applicable) | No |
| \$100.01 - \$1,000.00 | Personal Check or Credit Card | Name, Address, Lobbyist Status (if applicable), Principal Occupation and Employer | No |
| \$1,000.01 or more | Personal Check or Credit Card | Name and Address, Lobbyist Status (if applicable), Principal Occupation, Employer, and a statement indicating whether the contributor or any business associated with contributor has a contract for more than \$5,000.00 with the State | No |

Table 1 - Contribution Requirements Applicable to Individuals

What Contributions May Be Lawfully Accepted?

Contributions from an individual sixteen years of age and over may be accepted without limit. Contributions from individuals less than sixteen may be accepted to a maximum of \$30 in the calendar year.

(Section 9-333n(a) and 9-333m(f), General Statutes)

The individual must be either a United States citizen or a foreign national with permanent resident status in the United States.

(Title 11 Code of Federal Regulations, §110.4a)

Contributions from a political committee by a business entity may be accepted to a maximum of \$2,000 for the life of the referendum committee. However, the donor political committee must also be a registered Connecticut political committee.

(Section 9-333o(e), General Statutes)

Contributions from a political committee established by an organization may be accepted without limit. The donor political committee must also be a registered Connecticut political committee.

(Section 9-333q(b), General Statutes)

Contributions from any ongoing political committee established by two or more individuals may be accepted to a maximum of \$2,000 per calendar year. However the donor political committee must also be a registered Connecticut political committee.

(Section 9-333t(a), General Statutes)

Contributions from any political committee established for a single primary or election may be accepted to a maximum of \$2,000 for the life of the referendum committee. However, the donor political committee must also be a registered Connecticut political committee.

(Section 9-333u(a), General Statutes)

A political committee established solely for a referendum question may not contribute to another referendum committee.

(Section 9-333v(a), General Statutes)

Contributions from a party committee (State Central or town committee) may be accepted without limit. The donor party committee must also be a registered Connecticut party committee.

(Section 9-333s(a)(5), General Statutes)

Candidate committees, exploratory committees or slate committees may not contribute to a referendum committee (including distributions of surplus).

(Sections 9-333j(e) and 9-333r(a), General Statutes)

Contributions may not be accepted from a national or out of state political or party committee or a committee of a candidate for federal or an out-of-state office.

(Section 9-333v(b), General Statutes)

Contributions may be accepted from business entities, labor unions and other organizations and associations, which had an existence irrespective of and prior to the time the referendum was pending, to a maximum of 10¢ per resident based upon population figures established by the last federal decennial census within the political subdivision holding the referendum. Please see section entitled "LIMITS BASED ON 2000 FEDERAL DECENNIAL CENSUS," on Page 45.

(Section 9-333v(c), General Statutes)

What Contributions May Be Made By a Referendum Committee?

A referendum committee may not make contributions to or for the benefit of a candidate committee, a political committee, a party committee, a national committee or a committee of a candidate for federal or out of state office. There may be an exception to this when the committee dissolves after the referendum is held. Please see "TERMINATION OF THE COMMITTEE – DISTRIBUTION OF SURPLUS AND ELIMINATION OF DEFICITS" section starting at Page 36.

The Treasurer Alone May Make and Authorize Expenditures

The treasurer is the only individual who may authorize and make contributions or expenditures on behalf of the committee. All committee expenditures must be made by check, debit card drawn on the committee's checking account, or the committee's credit card.

Committee checks must contain the committee's name and address. This information must be typed, printed or stamped on each check. The name of the treasurer must also be included, but may be handwritten. The committee treasurer may allow a committee worker to be an authorized cardholder of a credit card issued to the committee, provided that the individual's expenditures are for goods or services that are authorized by the treasurer for a lawful purpose of the committee. Additionally, a committee worker may be reimbursed by the committee if the following conditions are satisfied: (1) the worker has paid for any permissible expenditure on behalf of the committee from his or her own personal funds, (2) the treasurer authorized the expenditure, (3) the worker provides the treasurer with a written receipt from the vendor proving payment by the worker, (4) the expenditure is for the lawful purpose of the committee and (5) the expenditure is not a contribution to any other committee..

(Section 9-333i(d), (l), (j) General Statutes, as amended by P.A. 04-91)

What is A Permissible Expense?

All expenditures by the treasurer must be made to promote the "lawful purposes of the committee." For a referendum committee, "the lawful purposes of the committee" means promoting the success or defeat of the referendum or ballot question. Expenditures made to solicit contributions for the committee or to hold a *bona fide* committee fund-raising affair are lawful purposes. Also, any committee organized under Chapter 150 of Connecticut's Campaign Finance Act, including a referendum committee, and any person, business entity, or organization, as those terms are defined in section 9-333a of the general statutes, may donate funds, including committee funds during the life of the committee, in any amount to the Citizens' Election Fund established by Section 2 of Public Act No. 05-5 for financing with public funds the campaigns for General Assembly and statewide office in elections held after January 1, 2007.

(See Section 9-333i(g)(2), General Statutes, as amended by P.A. No. 05-5)

Improper expenditures are expenditures that have no substantial relationship to the lawful activity of the committee.

Permissible expenses include the rental of real and personal property, the purchase of computer equipment and supplies, purchasing professional services, office supplies, utility costs, printing, postage, photocopying, compensation of committee staff and advertising.

(See Section 9-333i(g)(2), General Statutes, for a complete list of permissible expenditures)

No goods, services, funds and contributions received by any committee may be made available for the personal use of any individual. Expenditures for "personal use" include expenditures to defray the normal living expenses of any individual. Expenditures for personal use are those that have no direct connection with, or effect upon, the referendum committee.

(Section 9-333i(g)(2) and g(4), General Statutes, as amended by P.A. 04-91)

Other improper expenditures include expenditures by committee officers or workers which have no substantial relationship to the lawful activity of the committee.

Further, committee funds or resources may not be used to provide an honorarium to compensate, or make a gift to, an elected public official for a speaking engagement or other service rendered on behalf of the committee unless they are reimbursements for the elected official's actual travel expenses to make the speech or perform the service, or for food and beverage consumed by the public official or members of the public official's immediate family at the speaking engagement.

(Section 9-333i(h), General Statutes)

The Treasurer May Establish a Petty Cash Fund

The treasurer of a committee is permitted to establish a petty cash fund by drawing a check on the committee's single checking account in an amount that may not exceed \$100. The treasurer may replenish the petty cash fund from time to time, provided that the total balance of the fund may never exceed \$100, and provided further that the fund is not replenished more than twice in any seven (7) day period.

Expenditures made from a petty cash fund are limited to \$25 per transaction (i.e. purchase of supplies for the committee) and must be reported by the treasurer in the same manner as any other expenditure. Expenditures that are contributions may never be made from the petty cash fund. The treasurer must maintain a written account of all petty cash expenditure disbursements and keep such records for four (4) years from the date of the statement in which they were disclosed.

(Section 9-333i(e), General Statutes; Regulations of Conn. State Agencies §9-333i-1)

Treasurer May Appoint Solicitors

All solicitors must be appointed by the treasurer. Solicitors may solicit and receive monetary and non-monetary donations on behalf of the committee, including but not limited to receipts related to fund-raising affairs sponsored by the committee as well as donations received while engaging in door-to-door solicitation of individuals.

The solicitor may never deposit committee funds; only the treasurer may deposit funds received by the referendum committee. The solicitor must, within seven days of receipt of any goods, funds or contributions, deliver the same to the treasurer for acceptance. The treasurer must deposit funds within fourteen days of his receipt from the solicitor. A solicitor also may not expend funds he or she receives, and must deliver them only to the treasurer, in the form (i.e. cash or check) he or she received them.

There are no limitations on the number of solicitors that the treasurer may appoint.

No later than one day prior to the treasurer's required filing date, each solicitor must submit to the treasurer a list of the names and addresses of all persons from whom or from which monetary or non-monetary receipts were collected by the solicitor on behalf of the committee.

(Section 9-333h(c), General Statutes)

The treasurer should keep an accurate list of the name and address of each individual who is appointed to serve as a solicitor. Although the names of solicitors need not be disclosed in the treasurer's financial disclosure statements, the law requires the treasurer to keep internal

records, which may be subject to audit, including a record of each such appointment and the term of appointment.

Treasurer Must Retain a Record of All Receipts and Expenditures and Must Keep Internal Records

The treasurer must retain bank statements, deposit tickets, bills, credit card and debit card slips and statements (See section entitled, “Credit Card Contributions from Individuals” on Page 28.), invoices, travel itineraries and canceled checks relating to all committee receipts, both monetary and non-monetary, as well as all expenditures, including cash register receipts or other satisfactory documentation from committee workers who have been reimbursed for items they purchased directly. These internal records must be kept for four years from the date on which the receipts or expenditures are required to be reported. Internal records must be kept in support of each entry on the treasurer’s statement of receipts and expenditures, solicitor appointments, copies of tickets printed, invitations and program books for fund-raising affair, compensation and loan agreements, etc. It is strongly recommended that copies of checks received be kept.

(Section 9-333i(f), (j), General Statutes, as amended by P.A. 04-91)

The treasurer is required to publicly disclose in the committee’s financial disclosure statements the different categories of information regarding each individual who has contributed in excess of \$30 in the aggregate to the committee. See Table 1 - Contribution Requirements Applicable to Individuals on Page 14. Consequently, it is important to internally record the contributor information on a ledger, computer, or index card system to ensure that the reporting requirement is satisfied at the time the individual exceeds the \$30 threshold.

(Section 9-333j(c), General Statutes)

Treasurer Files Periodic Disclosure Statements of the Committee's Receipts and Expenditures

The treasurer must file a financial disclosure statement, entitled “Statement of Receipts and Expenditures,” Form ED-45, with the filing repository by the following deadline dates: the tenth day of January, April, July and October, , on the 7th day prior to a regular state election and on the 7th day prior to the day in which the referendum or ballot question is to be voted on if held on a day other than the day of the regular state election. If such deadline date falls on a Saturday, Sunday or Legal Holiday, the statement must be filed on the next business day. This filing must be submitted at some time during the filing period, which begins at the conclusion of the period to be reported and ends on the filing deadline date. Financial disclosure statements are timely if they are either postmarked by the United States Postal Service, or by a delivery service designated by the Secretary of the Treasury of the United States, before midnight on or before the required filing deadline date or delivered by hand to the filing repository’s office by the close of business hours on or before the filing deadline day.

(Section 9-333j(a) and j(d), General Statutes, as amended by P.A. 05-235)

With respect to a referendum *not* held in conjunction with a November regular election, the treasurer must file a statement 45 days after the date in which the referendum was held. If the referendum is held in conjunction with a regular November election, the statement after the referendum shall be filed on January 10th in lieu of the 45-day statement. There are additional reporting requirements relating to the dissolution of a referendum committee (making up

deficits, distributing surplus). Please see section entitled “TERMINATION OF THE COMMITTEE – DISTRIBUTION OF SURPLUS AND ELIMINATION OF DEFICITS” starting at Page 36 for information concerning these reporting requirements.

(Section 9-333j(a)(2), 9-333j(e), General Statutes, as amended by P.A. 05-235)

The financial disclosure statement, entitled “Statement of Receipts and Expenditures,” Form ED-45, itemizes all of the committee's financial activity, identifying the name and address of the source of all monetary receipts of the committee, all non-monetary receipts constituting In-Kind Contributions to the committee and the value thereof, as well as all contributions, certain non-monetary receipts in connection with a fundraising affair whether or not the constitute contributions, and expenditures made by the committee. The treasurer may electronically replicate this form and file a computer print-out or, if necessary, may use the pre-printed paper form provided by the filing authority which may include, where necessary, typed schedules and attachments. When using computer spreadsheets or other computer forms it is important to duplicate the section headings and all the data elements that appear on the “Statement of Receipts and Expenditures,” Form ED-45.

The treasurer may be able to use, for some statements, an unitemized short form disclosure statement, entitled “Exemption From Itemized Reporting,” Form ED-46, which certifies that the committee has not had monetary or non-monetary receipts or made expenditures in excess of \$1,000 by the close of the applicable reporting period.

Once the committee has exceeded the \$1,000 threshold for receipts and expenditures the next filed financial disclosure statement must be itemized covering the transactions from all other periods since the organization or establishment of the committee or group of individuals. The treasurer must then continue to use the itemized disclosure statement entitled “Statement of Receipts and Expenditures,” form ED-45.

The reporting period for each disclosure statement filed on the 10th day of January, April, July and October must include the financial activity of the committee beginning on the first day not included in the last filed financial disclosure statement and ending on the last day of the month preceding the month in which the statement is required to be filed. Each disclosure statement filed on the 7th day preceding the day of the referendum or regular state election, however, must include the financial activity of the committee beginning on the first day not included on the last filed financial disclosure statement and ending as of seven (7) days immediately preceding the required filing deadline day. Each treasurer of a committee may, as a matter of discretion, extend the mandatory reporting period to include any of the days within the filing period, including the filing deadline date, provided that *all* of the financial transactions of the committee within such extended reporting period are fully disclosed.

(Section 9-333j(a)(1), General Statutes, as amended by P.A. 05-235)

Late Filing Fees

Failure to file by the day that the financial disclosure statement is due subjects the treasurer to an automatic \$100 late filing fee, which must be paid by the treasurer from personal, not committee, funds. Late filing fees are payable to the filing repository—the Secretary of the State or Town Clerk, as the case may be.

The failure by the treasurer who files with the Secretary of the State to submit a filing within 21 days after receiving a failure to file notice from the Secretary of the State by certified mail, return receipt requested, will subject the noticed treasurer to an additional fine of \$200 to

\$2,000. These additional fines and penalties are administered by the State Elections Enforcement Commission, and the Secretary of the State is required to refer such failures to the Commission within 28 days after the Secretary mails such failure to file notice to the treasurer.

The failure by the treasurer who files with the Town Clerk to submit a filing within 7 days after receiving a failure to file notice from the Town Clerk by certified mail, return receipt requested, will subject the noticed treasurer to an additional fine of \$200 to \$2,000. These additional fines and penalties are administered by the State Elections Enforcement Commission and the town clerk is required to refer such failures to the Commission in a timely fashion after the 7 day late period expires.

(Section 9-333y, General Statutes, as amended by P.A. 05-235)

Copies of Disclosure Statements

The treasurer must provide the committee chairperson or chief executive officer with a duplicate copy of the disclosure statement at the time of filing.

(Section 9-333j(d), General Statutes)

V. RESPONSIBILITIES OF A PRE-EXISTING ENTITY OR AN INDIVIDUAL ACTING ALONE

Business entities, labor unions or other organizations and entities, which choose to not raise new funds for the referendum, may spend without limit from their general treasuries to promote the success or defeat of a referendum or ballot question. As soon as an entity expends over \$1,000 in connection with the referendum it must register as though it were a committee and designate a treasurer responsible for the following duties set forth in the above Section IV, starting on Page 13: These responsibilities include "The Treasurer Alone May Make and Authorize Expenditures," "Treasurer Must Retain a Record of All Receipts and Expenditures and Must Keep Internal Records," "Treasurer Files Periodic Disclosure Statements of the Committee's Receipts and Expenditures," "Late Filing Fees" and "Copies of Disclosure Statements." The entity's designated treasurer may not appoint solicitors or solicit funds from outside the entity's treasury.

Individuals acting alone may similarly spend without limit from their personal funds to promote the success or defeat of a referendum or ballot question. Unlike entities, as soon as an individual expends over \$1,000 in connection with the referendum there is no requirement to register as though the individual were a committee. However, the individual must act as their own treasurer and is responsible for the following duties set forth in the above Section IV, starting on Page 13: These responsibilities include "The Treasurer Alone May Make and Authorize Expenditures," "Treasurer Must Retain a Record of All Receipts and Expenditures and Must Keep Internal Records," "Treasurer Files Periodic Disclosure Statements of the Committee's Receipts and Expenditures," "Late Filing Fees" and "Copies of Disclosure Statements." The individual may not appoint solicitors or solicit funds or In-Kind Contributions from other individuals or entities.

VI. FUND-RAISING AFFAIRS

A "fund-raising affair" is a political gathering sponsored by the committee for which it charges an attendance fee, or is a tag sale or auction to sell items to the committee's invited

guests. In order to utilize a program book that sells advertising space, the fund-raising affair must be a *bona fide* event intended to make a profit exclusive of any non-contribution receipts and it must include a program for the fund-raising affair. The issues which most commonly arise concerning a fund-raising affair are whether the funds or resources given or received are treated as contributions, or as receipts which are not contributions, and how to disclose these types of receipts on the treasurer's financial disclosure statement.

Whether Monetary and Non-Monetary Receipts at a Fund-raising Affair Constitute Contributions

As previously stated, certain monetary and non-monetary receipts are not considered contributions under the law. Each receipt constitutes a "contribution" unless it falls within one of the narrowly defined exemptions. Certain transactions associated with a fund-raising affair may result in receipts that are not considered contributions depending on the dollar value of the receipt. These receipts must be disclosed in Section K(4), entitled "In-Kind Donations Not Considered Contributions," of the "Statement of Receipts and Expenditures," Form ED-45. Once these limits are exceeded the entire receipt must be reported as a "contribution" in Section B of the "Statement of Receipts and Expenditures," Form ED-45. A monetary receipt for an item purchased at a fund-raising affair is not reduced by the value of the item (i.e., price paid for television purchased at a committee sponsored tag sale is not diminished by the fair market value of the television).

(Section 9-333b(b), General Statutes)

The following is a list of the most significant types of monetary and non-monetary receipts which are not considered contributions:

- The donation or purchase by an individual of an item of personal property to a committee for a fund-raising affair if the aggregate amount of the donation or purchase does not exceed \$50.

(Section 9-333b(b)(9), General Statutes)

Example A. Jane Doe donates three compact discs to a committee to be sold at a tag sale, and the value of each CD is \$10, or a total of \$30. This non-monetary receipt is not a contribution and must be reported in Section K(4).

Example B. Jane Doe purchases a used television for \$60 at a committee sponsored tag sale. She has made a \$60 contribution because the value of the purchase is over \$50. This monetary receipt constitutes a contribution from Jane Doe of \$60 which is counted against her contribution limit to the committee and must be separately itemized in Section B of the disclosure statement entitled "Contributions From Individuals Over \$30 in Aggregate."

- The donation by a business entity of goods or services for a fund-raising affair if the aggregate value of the goods or services does not exceed \$100. Please note that a business entity may only donate goods or services that it sells or provides as part of its business. If the value of these goods or services exceeds \$100 it is a contribution.

(Section 9-333b(b)(12), General Statutes.)

Example C. ABC Corporation, a printing company, donates free printing services to a committee for a fund-raising picnic worth \$90 in value. This non-monetary receipt is not a contribution and must be reported in Section K(4).

Example D. The same corporation donates \$110 worth of printing to the fund-raising affair. It has made a contribution because the value of the tickets exceeds \$100 and therefore this exemption does not apply. This contribution must be aggregated together with other contributions received from the same corporation and counted against such corporation's applicable contribution limit. If the aggregate limit is exceeded as a consequence of such donation, then the In-Kind Contribution may not be accepted and must be returned immediately by the treasurer, or the committee may purchase the printing from ABC Corporation.

- The purchase by a business entity of advertising space in a program for a fund-raising affair held by a committee if the purchase price for the space does not exceed \$250. Unlike the other fund-raising affair exceptions, which apply separately to each affair conducted by the committee, the \$250 advertising space purchase exception applies cumulatively to all purchases by the same business entity during the calendar year committee. These transactions are reported in Section K(3).

(Section 9-333b(b)(10), General Statutes.)

Example E. XYZ Corporation purchases advertising space in a program booklet for a fund-raising dinner sponsored by a committee and the purchase is \$200. This monetary receipt from the corporation is not a contribution and may be accepted. As previously stated, the treasurer is required to report all monetary receipts whether or not the funds received constitute a contribution to the committee. The \$200 purchase is reported in the name of XYZ Corporation, together with other advertising receipts, in Section K, "Fundraising Events," of the committee's disclosure statement. XYZ Corporation may subsequently purchase no more than \$50 of advertising space in program booklets for other fund-raising affairs held by the same committee during the calendar year. *For the exception to apply, the committee must actually hold a bona fide fund-raising affair as defined in the beginning of this section and produce a program booklet containing the advertising.*

- The purchase by "persons" other than business entities of advertising space in a program for a fund-raising affair held by the committee may not exceed \$50 to qualify for the exception. "Other persons" for this purpose may be individuals, committees, labor unions or other organizations, trade or professional associations. This \$50 advertising space exception applies in aggregate for the calendar year.

(Section 9-333b(10), General Statutes.)

Reporting of Fund-raising Affairs

The treasurer is required to disclose all receipts of a fund-raising affair whether or not such receipt constitutes a contribution to the committee. All monetary receipts which are contributions may be recorded in Section A, "Total Contributions from Small Contributors," if the contributor has contributed \$30 or less in the aggregate since the beginning of the calendar year (January 1 or the date of the formation of the committee, if after January 1) of the committee or else shall be itemized in Section B, "Contributions from Individuals Over \$30 in the Aggregate," of the disclosure statement; and each non-monetary receipt which is a contribution must be itemized in Section M of the committee's disclosure statement (In-Kind Contributions). The purchase of fund-raising tickets are considered contributions, and therefore must be reported in Section A or B, dependent upon the amount purchased by the contributor.

The total of all funds received in connection with a fund-raising affair that do not constitute contributions must be disclosed in the aggregate in Section K, "Fundraising Events," of the committee's disclosure statement. Such itemization must include the name and address of each such purchaser and the amount.

The date, attendance fee, location and description of each fund-raising affair are required to be reported in Section K, "Fundraising Events."

Each expenditure made by the committee for the fund-raising affair must be separately itemized and disclosed by the treasurer in the same manner as any other committee expenditure in Section N, "Expenditures." The treasurer cannot merely disclose the net proceeds of the event.

(Section 9-333j(c)(1)(i), General Statutes)

VII. REPORTING INFORMATION

Who Reports?

The treasurer, or in his absence or inability, the deputy treasurer is required to file all financial disclosure statements.

How and Where to Report?

The "Statement of Receipts and Expenditures," Form ED-45 or, if applicable, the "Exemption From Itemized Reporting," Form ED-46, must be filed with the filing repository.

When to Report?

See section entitled "RESPONSIBILITIES OF THE TREASURER," "Treasurer Files Periodic Disclosure Statements of the Committee's Receipts and Expenditures," on Page 18.

What Information Must Be Reported?

- All monetary receipts, whether or not such receipts constitute contributions, all non-monetary receipts that constitute contributions, certain non-monetary receipts in connection with a fundraising affair whether or not they constitute contributions; and all expenditures made by the committee must be reported on the financial disclosure statement.
- Monetary and non-monetary contributions of over \$30 in the aggregate received from an individual requires disclosure of the donor's name and address, amount received during the relevant reporting period, date of the contribution and the aggregate amount given during the calendar year in Section B, "Contributions from Individuals Over \$30 in the Aggregate," if monetary, or Section M, "In-Kind Contributions," if non-monetary, of the disclosure statement. In addition, all non-monetary contributions are itemized and require a description of the contribution in Section M of the disclosure statement.
- If a contribution in excess of \$30 in the aggregate is received from a lobbyist, or the spouse or dependent child of a lobbyist, the treasurer must also include lobbyist status in addition to the contributor's name and address on the disclosure statement.

Please note: It is the responsibility of the lobbyist or family member of the lobbyist to provide this information to the treasurer. There is an obligation on the treasurer to make due inquiry for this information.

(Section 9-333j(c)(2), General Statutes)

- Any individual who contributes to the committee in the aggregate in excess of \$100, but not more than \$1,000, in addition to providing the treasurer with his name and address, must provide the treasurer with his principal occupation and name of employer. There is an obligation on the treasurer to make due inquiry for this information.

(Section 9-333j(c) General Statutes)

- Any individual who contributes to the committee in the aggregate in excess of \$1,000, in addition to providing the treasurer with his name, address, occupation and the identity of the individual's employer, must further provide the treasurer with a statement indicating whether the contributor, or any business with which the contributor is associated, has a contract with the state which is valued at more than \$5,000. A "business with which he is associated" refers to any business in which the contributor is a director, officer, owner, limited or general partner, or stockholder of 5% or more of the total stock of the business. The treasurer is required to request this information from the contributor by certified mail. If this information is not provided, the treasurer may not deposit any contributions that would cause the \$1,000 threshold to be exceeded, and the same must be returned.

(Section 9-333j(c), General Statutes)

- The sum of all monetary contributions from individuals (as distinguished from other sources, such as other committees) of \$30 or less in the aggregate during the calendar year may be disclosed as an unitemized total, and entered in Section A of the form entitled "Total Contributions From Small Contributors--This Period Only" or else itemized in Section B entitled "Contributions from Individuals Over \$30 in the Aggregate." *Note:* As soon as monetary contributions from such individual exceeds \$30 in the aggregate, the itemized contribution information above must be disclosed and entered in Section B.
- Anonymous monetary receipts of \$15 or less during the reporting period are reported in Section D, "Anonymous Contributions," and must include the denomination of the bills and the total value of all coins received anonymously.
- The name and address of any bank or other lender which has made a loan to the committee, and the principal amount of the loan received in a reporting period must be disclosed in Section I, "Loans Received," along with the name and address of any person who is a guarantor or cosigner of the loan. Loans must be continuously reported as a debt, under item 14 of the Summary Page of the itemized financial disclosure statement, until paid.
- The date, location and description of each fund-raising affair are required to be reported in Section K, "Fundraising Events."
- Any receipt during the reporting period from another committee or entity must be reported as either a contribution or a reimbursement relating to expense sharing, in Section C, "Contributions and Reimbursements from Other Committees;" or as a monetary receipt that is not a contribution, in Section K "Fundraising Events" (i.e. purchase of advertising space); or as an In-Kind Contribution, in Section M "In-Kind Contributions."

- All other monetary receipts that are not contributions must be disclosed. Examples include interest posted or received from deposits in authorized investment accounts (reported in Section H entitled “Interest from Deposits in Authorized Accounts”); bank credits or refunds (reported in Section J entitled “Miscellaneous Monetary Receipts not Considered Contributions”); and certain other monetary receipts from fund-raisers (purchases of goods or ads in program books reported in Section K, “Fundraising Events”).

(Section 9-333j, General Statutes)

- For a political committee established by a business entity, the amount of funds transferred from the business entity treasury to pay for reasonable and necessary administrative and solicitation expenses are monetary receipts of the committee which must be reported in Section E, “Amount Transferred From Corporate and Business Treasury.” If it is an In-Kind Contribution it needs to be reported in Section M, “In-Kind Contributions.”
- For a political committee established by an organization which has elected to be funded exclusively from the treasury of the organization, the amount of funds transferred from the treasury is a monetary receipt which must be reported in Section F, “Amount Transferred From Parent Organization.”

In-Kind Contributions

An In-Kind Contribution is the donation of goods, services or anything of value given free of charge or at less than the usual charge to the recipient committee. An In-Kind Contribution is valued at the usual and normal charge less any amount paid by the recipient committee.

A discount is the difference between the usual and normal charge for goods or services and the amount charged to the recipient committee. A discount is a type of In-Kind Contribution.

Contributions of goods and services must be disclosed in Section M, “In-Kind Contributions” of the committee’s financial disclosure statement. *Note:* Uncompensated services provided by an individual who volunteers his or her time to a committee is not an In-Kind Contribution and need not be reported; however services provided by individual which are compensated by another committee, individual, or any other entity, must be reported.

An expenditure made by another individual, other committee, or other entity of any kind that is coordinated with, authorized by, or provided at the request or suggestion of the committee or its agent is an In-Kind Contribution to the committee and must be reported as such in Section M, “In-Kind Contributions,” of the committee’s financial disclosure statement.

Expenditures

Each expenditure, regardless of the amount, must be separately itemized with the following information: the payee’s full name and address, the amount, date and the correct Expenditure Code identifying the purpose of the expenditure. Please see “EXPENDITURE CODE DEFINITIONS AND USES,” on Page 43. Expenditures are reported in Section N, “Expenditures,” of the committee’s financial disclosure statement.

Each loan repayment is reported separately. The name and address of each bank or other lender, the amount and date of the repayment or partial repayment (principal plus interest) on the loan during the applicable reporting period must be reported in Section N.

Each expenditure that is a reimbursement to a committee worker must be treated as any other expenditure and must include an itemization of payments to secondary payees that exceed \$100.

If a consultant is paid by the committee to provide services, the disclosure of each payment to the consultant must also include an itemized schedule of the payments the consultant has made to other vendors on behalf of the committee (secondary payees) that exceed \$100. See explanation for "Secondary Payee or Beneficiary," "EXPENDITURE CODE DEFINITIONS AND USES," on Page 43.

Each expense incurred but not yet paid must also be separately itemized in the same manner as expenditures paid, including the disclosure of any secondary payees. Expenses incurred but not paid are reported in Section O, "Expenses Incurred During This Period But Not Paid." The obligation to report expenses incurred arises when the committee has received the goods or services.

(Section 9-333i(j), General Statutes, as amended by P.A. 04-91)

Other reporting information

- All monetary receipts, whether or not they constitute contributions, are reported in the period received.
- Loans received by the committee from a source other than a bank or other financial institution are considered contributions until the principal amount of the loan is repaid. Such loans may never exceed the permissible contribution limits applicable to the donor and may never come from a prohibited source.

(Section 9-333b(a)(1) and 9-333b(b)(1), General Statutes)

- Monetary receipts in the form of personal checks written on joint accounts are attributed to the individual who signs the check.

(Section 9-333h(b), General Statutes)

- A monetary receipt in the form of a money order that bears a legible signature of the donor is considered a bank instrument. If the money order does not bear a legible signature it is considered to be "cash" and should be reported as such.

(Section 9-333m(e), General Statutes; State Elections Enforcement Commission Advisory Opinion No. 75-5)

- All funds received and accepted by the committee's treasurer must be deposited into the committee's single checking account at its Connecticut depository institution. However, the treasurer may withdraw funds from this checking account for placement in investment accounts to earn higher interest. Monetary receipts received by the committee cannot be deposited directly into these other accounts but must be first deposited into the single checking account; nor can expenditures of any kind be made directly from such investment accounts except for the purpose of redepositing the funds into the single checking account established with the designated depository institution. All monies, including interest, must be returned to the checking account before the funds may be expended. Further, the aggregate balance of all such accounts must be reported in the balance on hand in the committee's disclosure statements. However, transfers made between the committee's checking account and the committee's investment account(s), if applicable, are not reported as expenditures.

VIII. SPECIAL TOPICS

A Loan is Contribution

Loans are considered by law to be contributions, except loans made in the ordinary course of business by a bank. Loans which are contributions are subject to the overall limit on contributions to the committee. The amount of the contribution is equivalent to the principal amount of the outstanding loan. An unpaid loan, when added to other contributions from the same donor, may not exceed the contribution limit applicable to the donor. Repayments made on the loan reduce the amount of the contribution. Once repaid in full, a loan no longer counts against the donor's contribution limit.

All loans are reported in Section I, "Loans Received this Period," regardless of whether they are considered contributions. The committee treasurer and the individual or entity making the loan must execute a written agreement, and the treasurer must retain a copy of the agreement for the same period as other internal records. A loan must be continuously reported on the Summary Page of the itemized disclosure statement as a debt until repaid.

(9-333b(a)(1), 9-333b(b)(1), General Statutes)

Computers Used or Acquired by Committees

Use of Personal Computer at Home

An individual may perform campaign work at home on a personal computer owned by such individual. The individual may be the committee's treasurer or a committee worker. Use of a personally owned computer in this manner is not a contribution and does not need to be reimbursed by the committee. The individual may use their computer for personal purposes as well as for committee work.

(Sections 9-333b(b)(4) and 9-333b(b)(5), General Statutes)

Committee May Purchase Computer

A committee may purchase a computer at fair market value. A computer purchased with committee funds must be used exclusively for the committee, and no personal, business or non-committee use of the computer is permitted by statute.

(Section 9-333l(g)(2), General Statutes)

Committee May Lease Computer

1. Leasing Computer at Fair Rental Value

The committee may lease or rent a computer from any source at fair rental value. A written memorandum of the terms of the rental agreement must be made, signed and dated, and kept as an internal record of the committee. The committee's payments under the lease must be reported as expenditures. Personal use of a computer leased or rented by the committee is not allowed.

(Section 9-333l(g)(2), (3), General Statutes)

2. Leasing Computer at Less than Fair Rental Value

Leasing a computer to the committee at less than the fair rental value is an In-Kind Contribution. Under these circumstances, the difference between the fair rental value of

the computer and the amount actually charged to the committee must be disclosed in Section M, "In-Kind Contributions," on the committee's itemized disclosure statement. Contributors with aggregate limits may only make an In-Kind Contribution of a computer up to the applicable contribution limit; a discounted lease arrangement valued at more than this limit would constitute an excessive contribution. Sources which may not properly make contributions to the committee must lease the computer at fair rental value only.

Loaned Computer

Loaning a computer to the committee without charge is an In-Kind Contribution which is permissible only if it comes from a source that may make contributions, subject only to the aggregate contribution limits applicable to such donor. Personal use of a computer loaned to the committee is not allowed.

Credit Card Contributions from Individuals

Individuals may make contributions to a political committee by credit card (including their personal debit card) either in person, by mail, by telephone or over the Internet. Such contributions may be made in installments. If an individual's contributions to the committee are made in person, by mail or over the telephone, they must be delivered to the treasurer or to an individual appointed by the treasurer to serve as a solicitor. A contribution made over the Internet, however, may only be made by utilizing the committee's official website secured for credit card transactions.

In order to accept a credit card contribution from an individual, a treasurer must obtain the following information from the individual contributor:

1. Contributor's Full Name;
2. Contributor's Name as It appears on the Credit Card;
3. Residence Address of Contributor;
4. Billing Address on Record with Card Issuer (if different than residence address);
5. Individual's E-Mail Address (applicable to credit card contributions over the Internet);
6. Amount of Contribution;
7. Statement of whether contributor is a Lobbyist, Lobbyist Spouse, or Lobbyist Dependent;
8. Principal occupation, if individual's aggregate contributions to the committee exceed \$100;
9. Name of employer, if individual's aggregate contributions to the committee exceed \$100;
10. Statement of whether contributor, or business with which contributor is associated, has a contract with the state valued at more than \$5,000, if the individual's aggregate contributions to the committee exceed \$1,000;

11. Donor must affirm the statement: "I am 16 years of age or older" (applicable to contributions exceeding \$30);
12. Credit Card number, including the three or four digit security code (found typically at back of card within signature field, CVV/CVV2) ;
13. Credit Card Expiration Date;
14. Donor must affirm the statement: "This contribution is made on my personal credit card for which I have a legal obligation to pay and intend to pay from my own personal funds; payment on this card is not made from the funds of a corporation, labor organization or any other entity"; and
15. Donor must affirm the statement: "I am either a United States citizen or a foreign national with permanent resident status in the United States."

The committee must select a merchant account provider (an entity in the business to authorize the processing of credit card transactions) that is able to comply with the requirements set forth in this section.

The committee's treasurer must periodically review each transaction by utilizing the information provided by the merchant account provider or payment gateway to ensure that each contribution is from an individual's personal charge card only. The committee is required to keep the details of each transaction provided by the merchant account provider or payment gateway and to ensure that the State Elections Enforcement Commission is able, upon request, to review all such records (whether held by the committee, merchant account provider or payment gateway on behalf of the committee), whether electronic or otherwise, including the rate charged for each transaction. Failure to provide all these records will create a presumption that any such contributions are invalid. (An individual utilizing a personal card is charged at a different rate that is distinguishable from rates charged to entities)

The information obtained by the treasurer from the individual contributor satisfies the treasurer's due diligence requirements, except if the rate structure charged and subsequently reported to the treasurer by the merchant account processor or payment gateway indicates that the transaction was charged at a rate not normally charged to individuals domestically but rather at rates charged to entities (i.e. businesses, labor unions or individuals outside of the U.S.). In such instances, due diligence requires a timely refund of the contribution based upon the information received that the transaction was really charged contrary to Connecticut law.

Each committee must promptly send confirmation of each credit card contribution received through the Internet to the contributor by electronic mail to the individual's email address. For contributions received by telephone or mail, the confirmation shall be sent to the contributor by U.S. mail. For credit card transactions made in person, each committee must obtain a signed credit card receipt from the contributor.

Contributions made by credit card shall be deemed received by the committee on the date that the contributor completes the transaction, unless a no charge decision is made within fourteen days of the transaction or by the filing deadline for transactions falling within the reporting period, whichever is earlier. A no charge decision within such time relieves the committee treasurer of any responsibility for reporting the transaction. A committee receiving

contributions by credit card must report the full (gross) amount of each contribution before the payment of any fees or deductions to any third party.

The committee's treasurer is responsible for preserving all records of each credit card contribution for the period of four years from the date that the credit card transaction(s) are reported.

(Section 9-333m(d), (e), 9-333i(f), 9-333j and 9-333h, General Statutes as amended by P.A. 04-112)

Possible Internal Revenue Service Requirements

In order to open a committee checking account the treasurer will need to apply to the U.S. Internal Revenue Service for an Employer Identification Number ("EIN") on IRS Form SS-4 entitled "*Application for Employer Identification Number.*"

A Referendum Committee may be required to file a Form 1120-POL entitled "U.S. Income Tax Return for Certain Political Organizations" if it has taxable income in excess of the \$100 specific deduction in a taxable year (usually calendar year). There is a penalty for failure to file Form 1120-POL if a filing was required. Taxable income does not include exempt function income such as contributions of money or property, but does include things like interest income.

A Referendum Committee, which has tax status as an organization exempt under 26 U.S. Code 527, may be required to File a Form 990, entitled "*Return of Organization Exempt from Income Tax and Short Form Return of Organization Exempt from Income Tax,*" if it has gross receipts, including contributions, exceeding \$25,000.

A Referendum Committee that reasonably expects its annual gross receipts, including contributions, to be more than \$25,000 may be required to file a Form 8871, entitled "*Political Committee Notice of 527 Status.*"

Lastly, a referendum committee that has filed a Form 8871 may need to file a Form 8872, entitled "*Political Organization Report of Organizations and Expenditures.*"

Any questions about these IRS filing requirements should be directed to the IRS's Tax Exempt and Government Entities Customer Account Services toll free number 1-877-829-5500. Additionally, information is available at the following IRS websites: www.irs.gov or <http://www.irs.gov/charities/political/article/0,,id=96355,00.html>.

IX. RESTRICTIONS ON CONTRIBUTIONS AND EXPENDITURES FROM CERTAIN SOURCES

Restrictions On Individuals Less than 16 Years of Age

An individual who is less than 16 years old may not make contributions to a committee in excess of \$30 in the aggregate in the calendar year.

(Section 9-333m(f), General Statutes)

Restrictions on Anonymous Cash Contributions

There is a \$15 dollar limit on acceptance of anonymous cash contributions to the committee. Any anonymous cash contribution of \$15 or less may be accepted and deposited by the committee's treasurer in the same manner as any other monetary receipt.

Any anonymous cash receipt that exceeds \$15 must not be accepted but rather must be immediately forwarded by the committee's treasurer in full to the State Treasurer for deposit in the General Fund of the State of Connecticut. The treasurer is advised to check with the State Elections Enforcement Commission before remitting funds to the State Treasurer.

(Section 9-333h(b), General Statutes)

Limitations Relating to Ongoing Committees Which Expend Funds on a Referendum Question

A party committee, ongoing referendum committee and certain other ongoing political committees, which include those formed by two or more individuals, business entities, labor unions or other organizations, may expend committee funds to advocate passage or defeat of a referendum. There are entirely different contribution limits applicable to such committees that are set forth on the chart appearing on the last page of this Commission's separate publications entitled "*A Guide for Political Committees Established by a Business Entity, Organization, or Two or More Individuals for Political Activities*" and "*A Guide for Party Committees*." Further, there are other requirements relating to ongoing committees that are set forth in the above-mentioned publication.

Restrictions on Business Entities, Labor Unions and other Organizations

Generally, the treasury funds or resources of a business entity, labor unions, or other organizations as defined by section entitled "What is an Organization?" on Page 4, cannot be used to make contributions or expenditures to or for the benefit of candidates, political parties or political committees. However, business entities, labor unions or other organizations *may* spend directly advocating passage or defeat of a referendum question and *may* make contributions to a referendum committee. These latter expenditures are restricted as follows:

- A business entity may pay the costs of directly communicating with its owners, shareholders, executive and administrative personnel and their families on any subject, including expressly advocating the passage or defeat of a referendum question. However, the communication must be created by the business entity to qualify for the exception.
(Section 9-333b(b)(2), General Statutes)
- An organization may also pay the costs of communicating with its members and their families on any subject, including expressly advocating the passage or defeat of a referendum question. However, as in the case of a business entity, the communication must be created by the organization to qualify for the exception.
(Section 9-333b(b)(2), General Statutes)
- A business entity may make unlimited expenditures out of its treasury funds to promote the success or defeat of a ballot question. However, a business entity may make contributions of its funds and resources to a referendum committee which has been established solely to promote a single ballot question, limited to an aggregate amount equivalent to 10 cents per resident in the state or municipality in which the ballot question will be voted upon. The population of the state or municipality, for purposes of the contribution limit, is determined by the last federal decennial census. See section entitled "LIMITS BASED ON 2000 FEDERAL DECENNIAL CENSUS," Page 45.

(Sections 9-333o(c), 9-333v(c), General Statutes)

- An organization may make unlimited expenditures out of its treasury funds to promote the success or defeat of a ballot question. However, an organization may make contributions of its funds and resources to a referendum committee which has been established solely to promote a ballot question, limited to an aggregate amount equivalent to 10 cents per resident in the state or municipality in which the ballot question will be voted upon. See section entitled “LIMITS BASED ON 2000 FEDERAL DECENNIAL CENSUS,” Page 45.

(Sections 9-333p(a), 9-333v(c), General Statutes)

- The business entity may purchase up to \$250 worth of advertising space in program books for fund-raising affairs sponsored by any referendum committee for the calendar year. This would not be listed as a contribution and does not go against the business entity’s contribution limit.

(Section 9-333b(b)(10), General Statutes)

- A labor union or organization may purchase up to \$50 worth of advertising space in program books for fund-raising affairs sponsored by any referendum committee for the calendar year. This would not be listed as a contribution and does not go against the labor union or organization’s contribution limit.

(Sections 9-333b(b)(10), General Statutes)

- A business entity may provide goods or services to a referendum committee for a fund-raising affair where the cumulative value of such goods or services is not more than \$100 per fund-raising affair. A business entity may only donate goods or services that it sells or provides as part of its business. A business entity may not purchase goods for a fundraiser or provide funds to a committee with which to buy goods. If the donation by a business entity exceeds \$100 per fund-raising affair the entire amount is a contribution subject to the contribution limit. Valuation of these goods or services is the obligation of the recipient committee’s treasurer.

(Section 9-333b(b)(12), General Statutes)

Please note: Business entity or organization treasury funds may not be used to reward, give a bonus to or in any manner reimburse any individual for contributing funds or resources to a referendum committee. Such reward would be an illegal contribution.

Solicitation Requirements of a Business Entity

The solicitation of contributions from a business entity's employees must be voluntary. The Commission has determined that contributions may not be “solicited or secured by job discrimination or financial reprisal or as a condition of employment.” Individuals may not be reimbursed for making contributions by the business entity.

(Advisory Opinion 80-3)

Republishing Materials Printed by Others

Business entities, labor unions, organizations and associations may republish printed materials provided by others provided it is done within the restricted class applicable to each of them. A restricted class communication made by any business entity, labor union, organization or association, in order to qualify, must be limited to its members, owners, stockholders, executive or administrative personnel, or their families. A communication made to individuals outside this restricted class must bear on its face the attribution required for a business entity,

labor union, organization or association, as the case may be. Please see Section entitled "IDENTIFICATION OF POLITICAL CAMPAIGN COMMUNICATIONS," on Page 35.

X. PROHIBITION ON THE EXPENDITURE OF PUBLIC FUNDS

Public funds may not be used to influence anyone to vote for or against a pending referendum question. Anyone found in violation of this prohibition may be required to pay a civil penalty of either \$1,000 or twice the improper expenditure, whichever is greater. If a violation is found, the Commission will typically order that restitution be made to the municipality or government entity in the amount of the improper expenditure. An individual paying a civil penalty imposed under this section may not be reimbursed or indemnified with public funds.

(Section 9-369b, General Statutes)

When Does the Ban Apply?

The prohibition applies once a referendum is pending. A referendum is pending when the necessary actions are taken requiring submission of the referendum question to the voters. This occurs in many different forms on the local level, and may follow an adjourned town meeting, occur by vote of the local legislative body or depend on interpretations of a local charter. The question of when a referendum is pending and, therefore, when the ban applies in your jurisdiction should be directed to your local town attorney in the first instance. If a complaint is filed, the Commission will have to determine when the referendum was pending under the particular facts of that case.

What Types of Activities are Prohibited?

Any expenditure of public funds to advocate a result or influence any person to vote for or against the referendum is prohibited. This includes the dissemination of printed materials, preparations of video or web site presentations, the use of school or town facilities, supplies, equipment, postal permits, etc., in any form to advocate a position on a referendum.

Parent teacher organizations, school administrators, municipal officials and employees may not use school or town equipment to prepare or copy advocacy material even if the town, district or school system is reimbursed for such use. The use of schoolchildren as couriers to deliver advocacy material to parents is a prohibited expenditure in violation of General Statutes Section 9-369b. However, a notice limited to the time, place and question to be voted upon may be sent home to parents via schoolchildren.

School or town facilities may not be used by political committees or other groups for the purpose of advocating a position on a referendum unless such facilities are made available to all such groups regardless of their viewpoint. If a charge is levied for use of a facility, all groups must be charged the same rate.

What is Advocacy?

Advocacy can be either express or implied. Examples of express advocacy are "Vote Yes, Vote No," as well as the use of euphemisms and synonyms conveying the same message, including but not limited to "support, recommend, validate our educational priorities, vote for the future of our children, etc." Advocacy can also be implied if the communication, in its tone, tenor and timing, has the effect of urging the recipient of the communication to vote in a

particular manner. The State Elections Enforcement Commission employs a “reasonable person” standard. The Commission has found stated threats of program cuts and the dire consequences of failing to approve referendum, as well as statements of need and justification, to constitute implied advocacy (reduction in programs, overcrowded classrooms, buildings not in compliance with ADA, etc.). If a violation is alleged, the Commission will review the communication and determine whether, taken as a whole, it would make an ordinary reasonable person believe a particular result is urged. Materials issued in the time period immediately preceding the referendum are more likely intended to influence a reader to vote in a particular manner.

How can Public Officials Inform the Public?

Private Funds

As always, private funds may be used to communicate a position on the referendum. Public officials and citizens alike may join together to advocate their views on a referendum by registering a political committee. This includes contributing personal funds or personal time to a political committee, as well as asking others to contribute, provided the time spent on these activities is on personal time. Public officials are treated the same as private citizens when they are on their own time and using their personal resources. Municipal officials and employees may speak on their own (unpaid) time and use their personal resources to advocate a position on the referendum.

Acceptable uses of Public Funds to Inform

An **explanatory text** can be issued with public funds, provided that it is: (1) authorized by vote of the municipal legislative body, (2) prepared by the municipal clerk, (3) approved by the municipal attorney, (4) states the intent and purpose of the referendum; and (5) does not advocate either the approval or disapproval of the referendum. See above for what constitutes advocacy. In a municipality that has a town meeting as its legislative body, the board of selectman may authorize an explanatory text by majority vote. For any referendum called by a regional school district, only the regional board of education may authorize an explanatory text issued with public funds, which must be approved by the attorney for the regional school board. The regional school board’s secretary is responsible, in lieu of the municipal clerk, for preparing the explanatory text and satisfying the other obligations imposed on the clerk pursuant to Conn. Gen. Stats. § 9-369a. Once a referendum is pending, an explanatory text is a method by which a municipality may disseminate neutral printed materials with public funds. If an explanatory text is issued, it must be printed in sufficient supply for public distribution and sent to each absentee ballot applicant. At least three posters of the explanatory text shall be made available at each polling place.

(Section 9-369b(a), General Statutes, as amended by P.A. 04-117)

Materials in addition to explanatory text can be prepared and printed with public funds provided that they are: (1) authorized by vote of the municipal legislative body, or board of selectman in a town that has a town meeting as its legislative body, or the regional school board, as the case may be, (2) approved by the municipal attorney or regional school board attorney, as the case may be, and (3) do not advocate either the approval or disapproval of the referendum.

(Section 9-369b(a), General Statutes, as amended by P.A. 04-117)

Pro-con summaries may be provided for by local ordinance. However, once an ordinance allowing pro-con summaries is in effect, a municipality may use public funds to

provide for concise summaries of *arguments for and against* the referendum. In order to utilize a pro-con summary for a referendum, the municipality must also issue an explanatory text. The ordinance must provide for a committee to be composed of members of various viewpoints concerning the referendum, such as taxpayer and parent-teacher groups. The committee should provide an opportunity for public comment on the summaries. Summaries shall also be approved by vote of the municipality's legislative body and shall be posted and distributed in the same manner as explanatory texts. Each summary shall state that it does not constitute an endorsement by, or represent the official position of, the municipality.

(Section 9-369b(d), General Statutes, as amended by P.A. 04-117)

Press release or letter to the editor. A municipal official may use public funds, facilities and supplies to prepare a written, printed or typed summary of his/her viewpoint on a pending referendum prepared for any news medium. Such communications include press releases and letters to the editor. A municipal official may also on paid time participate in bona fide news programs not sponsored by the town or school system.

Responses to Constituent Requests. A municipal official may respond to a constituent request for information both in writing and orally. With respect to written communication, this exemption contemplates a single letter or response and is lost if the official attempts to distribute the response to a larger audience than requested the information. For example, leaving unsolicited photocopies of an official's summary prepared at public expense at the back of a meeting room has been found to violate Section 9-369b, General Statutes. This exemption also includes oral responses to questions made to the official.

Use of Public Meeting Rooms. Use of public meeting rooms free-of-charge is permissible if access is made available to all groups, committees or entities expressing an advocacy position in connection to the referendum on a non-discriminatory basis. Similarly, a charge may be made for the use of public facilities for this purpose as long as all sides are charged the same and access is provided on a non-discriminatory basis.

XI. IDENTIFICATION OF POLITICAL CAMPAIGN COMMUNICATIONS

Requirements

"Written, typed or printed communications or web-based written communications" includes communications that support or oppose a candidate or ballot question and those that solicit campaign funds, and may consist of letters, brochures, circulars, websites and web-based communications, billboards, transit advertisements, newspaper advertisements and similar communications, as well as campaign signs that are greater than 32 square feet in surface area.

Any referendum committee, other committee, business entity, organization, labor union, association or Group of Two or More Individuals organized for a referendum which finances any written, typed or printed communication, or any web-based written communication, which promotes the success or defeat of any ballot question or referendum must include on the face of the text the words "Paid for by" together with the following:

1. In the case of a business entity, organization or association, the name of the entity, organization or association and the name of its chief executive officer;

2. In the case of a referendum committee or political committee, the name of the committee and the name of its treasurer;
3. In the case of a party committee, the name of the committee; or
4. In the case of a Group of Two or More Individuals, the name of the group and the agent's name and address.

(Section 9-333w(a) and w(c), General Statutes as amended by P.A. 05-188)

Exempt Communications

Attributions for political communications are not required for “political paraphernalia” such as pins, badges, hats, rulers, calendars, and bumper stickers (give away items which have a utilitarian purpose beyond the campaign message) and any banner.

Also exempt are campaign signs which have a surface area of 32 square feet or less.

(Section 9-333w(d), General Statutes)

XII. POLITICAL OR PARTY COMMITTEES REGISTERED UNDER FEDERAL LAWS OR REGISTERED IN OTHER STATES

A referendum committee shall not receive contributions from a national committee or from a committee of a candidate for federal or out-of-state office. Treasurers receiving such contributions from entities not registered as committees in Connecticut must return the contributions immediately to the donor.

(Sections 9-333d, 9-333v(b), General Statutes)

XIII. TERMINATION OF THE COMMITTEE – DISTRIBUTION OF SURPLUS AND ELIMINATION OF DEFICITS

When must a Committee Terminate?

A referendum committee is generally required to terminate its existence by distributing its surplus within 90 days after the referendum is held. However, a referendum committee may continue its existence past this time if the committee reasonably believes that a substantially similar referendum question on the same issue will be submitted to the electorate within six months after the first referendum. If a successive referendum is held, the committee shall terminate its existence by expending surplus within ninety days following the date of the successive referendum. If a successive referendum fails to materialize, as reasonably expected, then the committee must terminate its existence within 90 days following the date that it realizes that another referendum on the same issue will not be held or within six months following the prior referendum, whichever is earlier.

(Sections 9-333j, General Statutes)

Dissolution of a Referendum Committee that has a Surplus

In the event that the committee has a surplus and the referendum is not held in conjunction with a regular November election, the treasurer must distribute it within ninety (90) days after the referendum is held, and file a financial disclosure statement of the distribution of the surplus within seven (7) days of its distribution. Surplus distributions for referendum held

in conjunction with a regular November election must be made by January 31st, and the termination financial disclosure statement is due by February 7th.

A committee formed for a single referendum that does not receive contributions from a business entity, labor union or other organization may distribute its surplus, in whole or in part, to one or more of the following:

- a) an ongoing political committee;
- b) a party committee;
- c) a tax exempt, tax deductible organization under 501c(3) of the Internal Revenue Code;
- d) to all donors on a pro-rata basis based upon the relationship of the aggregate donation from a particular donor to the total of all donations received by the committee from all donors;
- e) to state or municipal governments or agencies; or
- f) to the Citizens' Election Fund established by Section 2 of Public Act 05-5 for the financing, with public funds, of campaigns for General Assembly and statewide offices in elections held after January 1, 2007.

(Section 9-333j(e)(1)(C) and Sec. 53 of P.A. 05-5, General Statutes)

A committee formed for a single referendum that does receive contributions from a business entity, labor union or other organization may distribute its surplus, in whole or in part, to one or more of the following:

- a) a tax exempt, tax deductible organization under 501c(3) of the Internal Revenue Code; or
- b) to all donors on a pro-rata basis based upon the relationship of the aggregate donation from a particular donor to the total of all donations received by the committee from all donors;
- c) to state or municipal governments or agencies; or
- d) to the Citizens' Election Fund established by Section 2 of Public Act 05-5 for the financing, with public funds, of campaigns for General Assembly and statewide offices in elections held after January 1, 2007.

(Section 9-333j(e)(1)(C) and Sec. 53 of P.A. 05-5, General Statutes)

The treasurer must file a termination statement within seven days after all surplus funds or equipment is distributed.

(Section 9-333j(e)(3), General Statutes)

Dissolution of a Referendum Committee which has a Deficit

In the event of any deficit in which the referendum is not conducted with a regular November election, the treasurer must file a financial statement ninety days after the referendum indicating the amount of the deficit. If the referendum is held in conjunction with a regular November election then the statement is due on February 7th. The treasurer is also required to file an additional statement on the seventh day of any succeeding month when there is an increase or decrease in the deficit which is greater than \$500 from the last filed disclosure statement. The filing deadline for such a supplemental deficit statement is on the seventh day of the next succeeding month. A final termination statement must be filed on the seventh day of

the next succeeding month following elimination of the deficit, and this is true even where the deficit amount is less than \$500.

(Section 9-333j(e)(3), General Statutes)

XIV. GENERAL PROHIBITIONS AND PENALTIES

Vote Buying and Selling

No person may knowingly give, lend or promise to give or lend any money or other valuable consideration to any other person to influence the other person to vote, or refrain from voting for or against any ballot question. Any person who votes for or against any ballot question in consideration of any gift or other valuable consideration received shall be guilty of illegal practices.

(Section 9-333x(1), General Statutes)

Contributions In False Name

No person may make a payment or contribution to a treasurer in any name other than the name of the true donor or payor; nor may any treasurer knowingly receive the payment or contribution. A treasurer is prohibited from entering the name of someone other than the true donor or payor on the committee's financial disclosure statement.

(Section 9-333x(7), General Statutes)

General Criminal and Civil Penalties

Any person who violates any provision of Connecticut's Campaign Finance Laws is subject to a civil penalty not to exceed \$2,000 or twice the amount of the improper contribution or payment, whichever is greater.

(Section 9-7b(2), General Statutes)

Any person who "knowingly and willfully" violates any provision of Connecticut's Campaign Finance Laws is subject to criminal penalties of up to \$5,000 in fines, or 5 years imprisonment, or both.

(Section 9-333y, General Statutes)

Unlawful Solicitation of Contributions or Making of Expenditures

No person may solicit or accept funds or other resources, or expend funds, for or on behalf of a political committee unless the committee has been registered with the Town Clerk or Secretary of the State, as the case may be.

No person may solicit or accept funds or other resources, or expend funds, for or on behalf of a registered committee during the period in which there exists a vacancy in the position of treasurer and there is no deputy treasurer of the committee to act as treasurer.

No person may solicit or accept excessive contributions or payments which are otherwise prohibited by the provisions of Chapter 150.

(Section 9-333x(10), General Statutes)

Prohibited Solicitations

Generally speaking, commissioners and deputy commissioners of state agencies are prohibited from soliciting funds for the benefit of any political committee; however they *may* solicit for a referendum committee.

(Section 9-333x(11), General Statutes; Advisory Opinion No. 83-2)

Municipal employees are prohibited from soliciting funds for the benefit of any candidate, political or party committee from an individual under the supervision of such employee or their spouse or dependent children.

(Section 9-333x(12), General Statutes)

The following individuals are prohibited from soliciting contributions from a principal of an investment services firm on behalf of any political committee: the State Treasurer or any candidate for State Treasurer, any agent of any such candidate, the Deputy State Treasurer, any member of the State Investment Advisory Council or any unclassified employee in the office of the State Treasurer acting at the direction of the State Treasurer or Deputy State Treasurer.

(Section 9-333n(f), General Statutes)

Testimonial Affairs

A referendum committee may not hold a testimonial affair for a candidate or for any elected official during such official's term of office. A testimonial affair is an event held in honor of a candidate or in honor of an individual who holds elective office during the term of office. Anyone who organizes an improper testimonial or fund-raiser is subject to civil and potentially criminal liability.

(Section 9-333k(b), General Statutes)

Prohibition on Gifts, Compensation and Honoraria to Elected Officials

No political committee may make a gift, compensate or provide an honorarium to any elected public official for any speaking engagement or other services rendered on the committee's behalf. However, a public official may be reimbursed for actual travel expenses incurred by the official or member of the official's immediate family in connection with the engagement. The official or the member of the official's immediate family may consume food and beverage offered by the committee in connection with the speaking engagement or other services rendered.

(Section 9-333i(h), General Statutes)

XV. PUBLIC RECORDS

The registration and disclosure statements filed on behalf of political committees are available for public inspection at the office of the Secretary of the State or Town Clerk, as the case may be. These statements are required to be kept by the filing repository for five (5) years from the date of filing.

(Section 9-333j(c)(4), General Statutes)

XVI. COMPLAINTS

Who May Bring a Complaint?

Any individual may bring a complaint to the State Elections Enforcement Commission requesting that an investigation be made into any alleged violation of the State election laws.

The State Elections Enforcement Commission on its own initiative may also decide to conduct an investigation into any possible violation of the State election laws.

(Section 9-7b, General Statutes)

Form of Complaint

All complaints filed with the Commission must be in writing and sworn to under oath by the complainant.

A pre-printed form, which is available both at the State Elections Enforcement Commission's offices and at its website (www.ct.gov/seec), may be used to file complaints. A complaint may also be filed in letter form provided that it is sworn to under oath.

Complaints must be submitted with an original signature of the complainant. No copies or facsimiles will be accepted.

Complaints should include the following:

- The legal name, address and telephone number of the person filing the complaint.
- A clear and concise statement of the facts including:
 1. The date of the alleged violation(s);
 2. The identity of the person(s) alleged to have committed the violation(s);
 3. The identity of any person(s) who may have knowledge of the facts asserted in the complaint; and
 4. Any other document, written material or other information known to the complainant and having a bearing on the violation(s) alleged in the complaint.

XVII. DECLARATORY RULINGS

Who May Request a Declaratory Ruling?

Any individual or entity may request a declaratory ruling from the State Elections Enforcement Commission.

What May Be the Proper Subject of a Declaratory Ruling?

The subject of a declaratory ruling may concern the applicability of any provision of Chapter 150 of the General Statutes, or any regulation promulgated by the State Elections Enforcement Commission, with respect to a course of action contemplated by the person seeking the ruling.

Formal Requirements for a Declaratory Ruling Request

A request for a declaratory ruling must contain the following:

1. An original signature, address, and telephone number of the person(s) requesting the opinion or ruling;
2. A clear and concise statement of the issue;
3. A statement that the course of action contemplated by the person is real and not hypothetical or imaginary;
4. An identification of the particular aspect of the provisions of Chapter 150 of the General Statutes or regulation to which the request is addressed; and
5. Any facts and arguments that support the position of the person making the inquiry.

The declaratory ruling procedures may not be used to challenge the legality or legal sufficiency of another person's actions; rather the complaint process must be used for that purpose.

Notice Procedures Relating To Declaratory Rulings

A declaratory ruling request must be mailed to the State Elections Enforcement Commission or delivered in person during normal business hours.

If the Commission determines a declaratory ruling will not be rendered, it will, within thirty (30) days of such determination, notify the person(s) requesting the same of its denial.

The State Elections Enforcement Commission may give notice to other persons that a declaratory ruling has been requested and the Commission may receive and consider facts, arguments and opinions from them.

Opinions of Counsel

Opinions of Counsel differ in effect from Declaratory Rulings or Advisory Opinions of the Commission. They may be requested informally from the Executive Director & General Counsel of the Commission and are not binding on the Commission; however, the person to whom an Opinion of Counsel is rendered may rely upon the opinion with respect to any matter subsequently brought before the Commission upon the same facts addressed in the opinion. Please contact any member of the State Elections Enforcement Commission's legal staff for assistance in requesting an Opinion of Counsel.

XVIII. CONCLUSION

This Guide was intended to clarify and summarize the most important provisions of Connecticut's campaign financing requirements and the expenditure of public funds relating to a referendum or ballot question.

Inquiries regarding campaign financing requirements, the use of public funds, the legal interpretations of the State Elections Enforcement Commission, as well as the procedures for filing complaints or making requests for Declaratory Rulings may be addressed to:

State Elections Enforcement Commission
20 Trinity Street
Hartford, Connecticut 06106-1628

Jeffrey B. Garfield, Executive Director & General Counsel

Tel No. Area Code (860) 566-1776
Toll Free within CT 1-866-SEEC-INFO [1-(866)-733-2463]
Fax No. Area Code (860) 566-4402
URL <http://www.ct.gov/seec>
E-Mail seec@po.state.ct.us

Requests for copies of the committee registration and disclosure statements may be obtained from the State Elections Enforcement Commission and also from:

Office of the Secretary of the State
Elections Services Division
P.O. Box 150470
30 Trinity Street
Hartford, Connecticut 06115

Tel No. Area Code (860) 509-6101
Fax No. Area Code (860) 509-6127
Web <http://www.sots.ct.gov/>

XIX. EXPENDITURE CODE DEFINITIONS AND USES

A ADVERTISING. Use "A" for expenditures associated with the cost of radio, television, newspaper, magazine and outdoor advertising such as the rental of billboard space, or property rental for placement of yard signs, etc. This should be distinguished from the cost of printing lawn or yard signs or graphic design services for the layout, preparation or design of advertising which would be coded either as "PR" (PRINTING) or "PC" for PROFESSIONAL CONSULTING SERVICES, as the case may be (see explanation of these codes below).

B BANK. Use "B" for payments made for bank charges including check printing fees; but not for a repayment on a bank loan. Use "L" for repayments on a loan.

C CONTRIBUTIONS TO OTHER COMMITTEES. Use "C" for contributions made directly to another committee or another candidate, other than a payment for services or reimbursement for shared expenses. Use "RC" for reimbursements to other committees or candidates for shared expenses or "P" for Payments to Other Committees for Services (see below).

CC CREDIT CARD PAYMENTS. Use "CC" for payments made to credit card companies used by the committee. Following completion of all of the information contained in this horizontal row, go immediately to the next and succeeding horizontal row or rows and follow the instructions for a secondary payee "SP-" with respect to those vendors and other entities paid by the credit card company as set forth on the most recent credit card billing invoice to the committee.

CP CAMPAIGN PARAPHERNALIA. Use "CP" for costs for producing items to be sold or given away by committee, such as pins, hats, bumper stickers, tee shirts, etc.

CH CHARITY. Use "CH" for contributions by a party committee or ongoing political committee to a charitable organization which is tax-exempt under Section 501(c) (3) of the Internal Revenue Code.

F FUNDRAISING EVENTS. Use "F" for expenditures associated with holding a fund-raiser, including payments to restaurants, hotels, caterers, food and beverage vendors, entertainers and speakers. That subcategory of fundraising expenses dealing with the printing of a fundraising solicitation

letter or a program book etc. should be coded as "PR" (PRINTING).

FG FOOD & GIFTS. Use "FG" for expenditures for food, beverage or gifts for campaign or committee workers. See limits in Sec. 9-333i(g), CGS.

G GENERAL OPERATION AND OVERHEAD. Use "G" for general campaign operating expenses and overhead, including headquarters rental, insurance, utilities, purchased office supplies, voting lists, expenses for telephones, subscriptions, purchase or rental of office equipment and furniture and maintenance and repair of same, and similar overhead operating expenses.

I INAUGURALS. Use "I" for expenditures relating to an elected candidate's inauguration made by that elected candidate's candidate committee.

L LOAN. Use "L" for repayments made on a loan, whether payment of principal, or interest, or both.

P PAYMENTS TO OTHER COMMITTEES FOR SERVICES. Use "P" for payments by a committee to another committee which are neither contributions or reimbursements, but are for services rendered (i.e., program book purchases, purchase of a mailing list, etc.).

PC PROFESSIONAL CONSULTANTS. Use "PC" for salaries, fees, and commissions paid to professional consultants, including attorneys, accountants, advertising and similar professionals. If the payment to the professional consultant includes known charges which the professional consultant has already made or will make to a secondary payee, that is, to another vendor (such as a pollster or commercial advertiser), following completion of all of the information contained in this horizontal row, go immediately to the next and succeeding horizontal row(s) and follow the instructions for a secondary payee "SP-" (see below).

PO POSTAGE. Use "PO" for expenditures for stamps, postage, bulk mail permits, post office boxes, United Parcel Service, Federal Express, and direct mail services (postage only). This should be distinguished from the printing costs or the cost of layout, preparation or design of the item being mailed, which would be coded either as "PR" (PRINTING) or "PC" (PROFESSIONAL CONSULTING SERVICES) as the case may be (see explanation of these codes herein).

PR PRINTING. Use "PR" for expenditures associated with the costs for printing and reproducing campaign literature, stationery, invitations and the like. These expenditures may include photocopy costs when billed to the campaign by a vendor (photocopy costs borne by the committee through reproduction made at headquarters would be coded as "G" for General Operation and Overhead).

RC REIMBURSEMENTS TO OTHER COMMITTEES. Use "RC" for reimbursements to other committees for shared expenses.

RW REIMBURSEMENTS TO COMMITTEE WORKERS OR THE COMMITTEE'S SPONSORED CANDIDATE. Use "RW" for reimbursements to committee workers (all committees) or to the committee's sponsored candidate (applicable only to candidate or exploratory committees). Because vendors' invoices or cash register receipts must be submitted with any reimbursement request, following completion of all of the information contained in the horizontal row applicable to this expenditure to the individual being reimbursed, go immediately to the next horizontal row or rows and follow the instructions for a secondary payee "SP-" (see below). Note that candidates have special reporting requirements to their treasurers for campaign expenses paid by the candidate (see Sec. 9-333(i)(k), C.G.S. for these requirements).

S SURVEYS AND POLLS. Use "S" for expenditures associated with the design or production of any poll, report on election trends, voter survey, telemarketing, telephone banks, etc.

SD SURPLUS DISTRIBUTION. Use "SD" for expenditures which are distributions of surplus in connection with the termination and dissolution of a candidate or exploratory committee.

SP- SECONDARY PAYEE OR BENEFICIARY. Use "SP-" as a coded purpose for an expenditure whenever the reported expenditure to the primary or principal payee is known to include charges which the primary payee has already paid or will pay directly to another person, vendor or entity. This will typically arise in the context of reimbursements to campaign workers or candidates ("RW"), payments to credit card companies ("CC"), or payments to professional consultants ("PC") where invoices were received from the primary payee which indicated charges paid or to be paid by such principals to secondary vendors. Immediately following the horizontal row where the report of this

expenditure to the primary payee is made, on the next succeeding line or lines, complete the name & address of the secondary payee, followed by the expenditure code "SP-" (including the dash "-") followed by the coded purpose of the payment (if known) which the primary payee made to the secondary vendor or secondary payee. For example, if a professional consultant made a payment to the Hartford Courant for a full page ad, the Hartford Courant, Broad Street, Hartford will be set forth in the name & address column, and the purpose of the expenditure column will be "SP-A" (reflecting the fact that a payment was made by the professional consulting firm to the Hartford Courant for an advertisement). Note that only that the secondary amount will be filled in (reflecting the amount that the primary payee paid to the secondary vendor or entity) and that the Amount Column on the right hand side will be left completely blank whenever the Purpose of Expenditure by Code column is "SP-." Also, if the purpose of the secondary payment is not known, the coded purpose should be reported only as "SP." Lastly, for payments to credit card companies, each charge invoiced by the credit company should be reflected as a secondary payment by name and address of the secondary payee irrespective of the size of the secondary amount. However, for secondary payments arising in other contexts, such as payments to professional consultants or reimbursements to committee workers or candidates, secondary payments of amounts of \$100.00 or less do not have to be reported in this manner, provided of course that the primary payment is fully reported (as must always the case).

T TRAVEL, LODGING & MEALS. Use "T" for expenditures made for authorized travel of committee workers or the candidate (candidate or exploratory committees), such as vehicle expenses, gasoline, lodging and meals.

W WAGES, SALARIES, BENEFITS. Use "W" for expenditures associated with compensation paid to in-house staff. Professionals who are paid for outside consulting services are expenditures which should be coded as "PC" (PROFESSIONAL CONSULTING SERVICES).

M MISCELLANEOUS. Use this category for an expenditure only when it does not fit within any of the previous categories. Specify purpose when over \$100 dollars.

XX. LIMITS BASED ON 2000 FEDERAL DECENNIAL CENSUS

| Town | Population | Limits |
|---------------|------------|-------------|
| Andover | 3,036 | \$303.60 |
| Ansonia | 18,554 | \$1,855.40 |
| Ashford | 4,098 | \$409.80 |
| Avon | 15,832 | \$1,583.20 |
| Barkhamsted | 3,494 | \$349.40 |
| Beacon Falls | 5,246 | \$524.60 |
| Berlin | 18,215 | \$1,821.50 |
| Bethany | 5,040 | \$504.00 |
| Bethel | 18,067 | \$1,806.70 |
| Bethlehem | 3,422 | \$342.20 |
| Bloomfield | 19,587 | \$1,958.70 |
| Bolton | 5,017 | \$501.70 |
| Bozrah | 2,357 | \$235.70 |
| Branford | 28,683 | \$2,868.30 |
| Bridgeport | 139,529 | \$13,952.90 |
| Bridgewater | 1,824 | \$182.40 |
| Bristol | 60,062 | \$6,006.20 |
| Brookfield | 15,664 | \$1,566.40 |
| Brooklyn | 7,173 | \$717.30 |
| Burlington | 8,190 | \$819.00 |
| Canaan | 1,081 | \$108.10 |
| Canterbury | 4,692 | \$469.20 |
| Canton | 8,840 | \$884.00 |
| Chaplin | 2,250 | \$225.00 |
| Cheshire | 28,543 | \$2,854.30 |
| Chester | 3,743 | \$374.30 |
| Clinton | 13,094 | \$1,309.40 |
| Colchester | 14,551 | \$1,455.10 |
| Colebrook | 1,471 | \$147.10 |
| Columbia | 4,971 | \$497.10 |
| Cornwall | 1,434 | \$143.40 |
| Coventry | 11,504 | \$1,150.40 |
| Cromwell | 12,871 | \$1,287.10 |
| Danbury | 74,848 | \$7,484.80 |
| Darien | 19,607 | \$1,960.70 |
| Deep River | 4,610 | \$461.00 |
| Derby | 12,391 | \$1,239.10 |
| Durham | 6,627 | \$662.70 |
| Eastford | 1,618 | \$161.80 |
| East Granby | 4,745 | \$474.50 |
| East Haddam | 8,333 | \$833.30 |
| East Hampton | 13,352 | \$1,335.20 |
| East Hartford | 49,575 | \$4,957.50 |
| East Haven | 28,189 | \$2,818.90 |
| East Lyme | 18,118 | \$1,811.80 |
| Easton | 7,272 | \$727.20 |
| East Windsor | 9,818 | \$981.80 |
| Ellington | 12,921 | \$1,292.10 |
| Enfield | 45,212 | \$4,521.20 |
| Essex | 6,505 | \$650.50 |
| Fairfield | 57,340 | \$5,734.00 |
| Farmington | 23,641 | \$2,364.10 |
| Franklin | 1,835 | \$183.50 |
| Glastonbury | 31,876 | \$3,187.60 |
| Goshen | 2,697 | \$269.70 |
| Granby | 10,347 | \$1,034.70 |
| Greenwich | 61,101 | \$6,110.10 |

| Town | Population | Limits |
|----------------|------------|-------------|
| Griswold | 10,807 | \$1,080.70 |
| Groton | 39,907 | \$3,990.70 |
| Guilford | 21,398 | \$2,139.80 |
| Haddam | 7,157 | \$715.70 |
| Hamden | 56,913 | \$5,691.30 |
| Hampton | 1,758 | \$175.80 |
| Hartford | 121,578 | \$12,157.80 |
| Hartland | 2,012 | \$201.20 |
| Harwinton | 5,283 | \$528.30 |
| Hebron | 8,610 | \$861.00 |
| Kent | 2,858 | \$285.80 |
| Killingly | 16,472 | \$1,647.20 |
| Killingworth | 6,018 | \$601.80 |
| Lebanon | 6,907 | \$690.70 |
| Ledyard | 14,687 | \$1,468.70 |
| Lisbon | 4,069 | \$406.90 |
| Litchfield | 8,316 | \$831.60 |
| Lyme | 2,016 | \$201.60 |
| Madison | 17,858 | \$1,785.80 |
| Manchester | 54,740 | \$5,474.00 |
| Mansfield | 20,720 | \$2,072.00 |
| Marlborough | 5,709 | \$570.90 |
| Meriden | 58,244 | \$5,824.40 |
| Middlebury | 6,451 | \$645.10 |
| Middlefield | 4,203 | \$420.30 |
| Middletown | 43,167 | \$4,316.70 |
| Milford | 52,305 | \$5,230.50 |
| Monroe | 19,247 | \$1,924.70 |
| Montville | 18,546 | \$1,854.60 |
| Morris | 2,301 | \$230.10 |
| Naugatuck | 30,989 | \$3,098.90 |
| New Britain | 71,538 | \$7,153.80 |
| New Canaan | 19,395 | \$1,939.50 |
| New Fairfield | 13,953 | \$1,395.30 |
| New Hartford | 6,088 | \$608.80 |
| New Haven | 123,626 | \$12,362.60 |
| Newington | 29,306 | \$2,930.60 |
| New London | 25,671 | \$2,567.10 |
| New Milford | 27,121 | \$2,712.10 |
| Newtown | 25,031 | \$2,503.10 |
| Norfolk | 1,660 | \$166.00 |
| North Branford | 13,906 | \$1,390.60 |
| North Canaan | 3,350 | \$335.00 |
| North Haven | 23,035 | \$2,303.50 |
| North | | |
| Stonington | 4,991 | \$499.10 |
| Norwalk | 82,951 | \$8,295.10 |
| Norwich | 36,117 | \$3,611.70 |
| Old Lyme | 7,406 | \$740.60 |
| Old Saybrook | 10,367 | \$1,036.70 |
| Orange | 13,233 | \$1,323.30 |
| Oxford | 9,821 | \$982.10 |
| Plainfield | 14,619 | \$1,461.90 |
| Plainville | 17,328 | \$1,732.80 |
| Plymouth | 11,634 | \$1,163.40 |
| Pomfret | 3,798 | \$379.80 |
| Portland | 8,732 | \$873.20 |

| Town | Population | Limits |
|----------------|------------|--------------|
| Preston | 4,688 | \$468.80 |
| Prospect | 8,707 | \$870.70 |
| Putnam | 9,002 | \$900.20 |
| Redding | 8,270 | \$827.00 |
| Ridgefield | 23,643 | \$2,364.30 |
| Rocky Hill | 17,966 | \$1,796.60 |
| Roxbury | 2,136 | \$213.60 |
| Salem | 3,858 | \$385.80 |
| Salisbury | 3,977 | \$397.70 |
| Scotland | 1,556 | \$155.60 |
| Seymour | 15,454 | \$1,545.40 |
| Sharon | 2,968 | \$296.80 |
| Shelton | 38,101 | \$3,810.10 |
| Sherman | 3,827 | \$382.70 |
| Simsbury | 23,234 | \$2,323.40 |
| Somers | 10,417 | \$1,041.70 |
| Southbury | 18,567 | \$1,856.70 |
| Southington | 39,728 | \$3,972.80 |
| South Windsor | 24,412 | \$2,441.20 |
| Sprague | 2,971 | \$297.10 |
| Stafford | 11,307 | \$1,130.70 |
| Stamford | 117,083 | \$11,708.30 |
| Sterling | 3,099 | \$309.90 |
| Stonington | 17,906 | \$1,790.60 |
| Stratford | 49,976 | \$4,997.60 |
| Suffield | 13,552 | \$1,355.20 |
| Thomaston | 7,503 | \$750.30 |
| Thompson | 8,878 | \$887.80 |
| Tolland | 13,146 | \$1,314.60 |
| Torrington | 35,202 | \$3,520.20 |
| Trumbull | 34,243 | \$3,424.30 |
| Union | 693 | \$69.30 |
| Vernon | 28,063 | \$2,806.30 |
| Voluntown | 2,528 | \$252.80 |
| Wallingford | 43,026 | \$4,302.60 |
| Warren | 1,254 | \$125.40 |
| Washington | 3,596 | \$359.60 |
| Waterbury | 107,271 | \$10,727.10 |
| Waterford | 19,152 | \$1,915.20 |
| Watertown | 21,661 | \$2,166.10 |
| Westbrook | 6,292 | \$629.20 |
| West Hartford | 63,589 | \$6,358.90 |
| West Haven | 52,360 | \$5,236.00 |
| Weston | 10,037 | \$1,003.70 |
| Westport | 25,749 | \$2,574.90 |
| Wethersfield | 26,271 | \$2,627.10 |
| Willington | 5,959 | \$595.90 |
| Wilton | 17,633 | \$1,763.30 |
| Winchester | 10,664 | \$1,066.40 |
| Windham | 22,857 | \$2,285.70 |
| Windsor | 28,237 | \$2,823.70 |
| Windsor Locks | 12,043 | \$1,204.30 |
| Wolcott | 15,215 | \$1,521.50 |
| Woodbridge | 8,983 | \$898.30 |
| Woodbury | 9,198 | \$919.80 |
| Woodstock | 7,221 | \$722.10 |
| State of Conn. | 3,405,565 | \$340,556.50 |

Permissible Contributions to a Referendum Committee

Aggregate Contribution Limits

| <i>Contributor Sources^a</i> | <i>Received by Referendum Committee</i> |
|--|---|
| Individual^b | Unlimited |
| Party Committee | Unlimited |
| Candidate, Exploratory or Slate Committee | Prohibited |
| Ongoing Political Committees formed by two or more Individuals | 2,000 per calendar year |
| Ongoing Political Committee formed by a Business Entity | 2,000 for life of committee |
| Ongoing Political Committee formed by an Organization | Unlimited |
| Referendum Committee | Prohibited |
| Political Committees established for a Single Primary or Election | 2,000 for life of committee |
| National Committee, out of State Political or Party Committee | Prohibited |
| Business Entities, Associations, Labor Unions and other Organizations | 10¢ per resident ^c for life of committee |

- a) Only contributions from committees registered in Connecticut may be accepted.
- b) Individuals who are under 16 years of age may only contribute \$30 per calendar year.
- c) This limit is based upon population figures established by the last federal decennial census within the political subdivision holding the referendum. Please see section entitled "LIMITS BASED ON 2000 FEDERAL DECENNIAL CENSUS," on Page 45.